

CITY COUNCIL MINUTES
MEETING LOCATION: ALEDO COMMUNITY CENTER
104 ROBINSON COURT
ALEDO, TEXAS 76008
THURSDAY, APRIL 27, 2023
6:00 P.M.

CALL REGULAR MEETING TO ORDER

1. CALL TO ORDER

Mayor Pro Tem Shane Davis called the regular meeting of the City Council to order at 6:08 pm on Thursday, April 27, 2023. Those in attendance at this meeting were Councilmember Shawna Ford, Councilmember Nelson Rowls, Councilmember Christian Pearson and Councilmember Summer Jones.

Staff present were City Manager Noah Simon, Utility Billing Manager Erica Haney, Interim Public Works Director Gary Enna, Interim City Planner Ivan Gonzalez, Financial Consultant Amber Karkauskas, and City Attorney Lindsey Hale.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Councilmember Summer Jones gave the Invocation. Mayor Pro Tem Shane Davis led the Pledge of Allegiance.

- 3. CITIZEN APPEARANCES:** This is an opportunity for citizens to address the City Council on any matter, whether or not it is posted on the agenda. Individual citizen comments are normally limited to three (3) minutes; however, time limits can be adjusted by the presiding officer. Time is not transferable. The presiding officer may ask the citizen to hold their comment on an agenda item if the item is posted as a Public Hearing. The City Council cannot by law take any action nor have any discussion or deliberations on any presentation made at this time concerning an item not listed on the agenda. The City Council will receive the information, and ask the City Manager to review the matter, or an item may be noticed on a future agenda for deliberation or action. Please sign in before the start of the meeting and provide the paper to the City Secretary.

None present.

4. PRESENTATIONS AND PROCLAMATIONS:

- a. Presentation by Kim Knox-Lewis, BMY, PLLC, of the Annual Audit Report for Fiscal Year end September 30, 2021.

Kim began the presentation by thanking Doug Martella and Amber Karkauskas for assisting with the audit. The City received an Unqualified Opinion which is

the highest level of assurance obtainable meaning there are no errors in the statements. City Manager Noah Simon thanked Doug Martella, Amber Karkauskas, and city staff for reaching this milestone and appreciates Council's patience while the City works towards getting back on a regular audit schedule.

- b. Presentation and discussion by Freese and Nichols and TXDOT on a Traffic Operations Analysis for FM 1187 at Eastbound Maverick Street, AKA "the couplet."

Freese and Nichols presented a simulation of the couplet, existing traffic patterns and traffic patterns with the couplet. Mayor Pro Tem Shane Davis asked citizens to hold all questions until the end of presentation. Freese and Nichols feel confident the couplet would solve the backup problem on 1187. Freese and Nichols simulated right lane traffic's ability to turn on Front St but did not simulate turning into the gas station or the driveways before the gas station. However, they would like to do a live simulation which would require temporary traffic control with Buyer's Barricades estimated. TXDOT would need to approve the temporary traffic control plan. To make it permanent TXDOT stated that it would require striping. Citizens that spoke regarding the couplet: Jim Britton – 12 Fairview Lane, Preston McGee – 167 Sanchez Trail, David Springer – 133 Sanchez Trail, April Densmore – 428 Rolling Hills Drive, Susan Houghtalin – 315 Plum Street, Helene Springer – 133 Sanchez Trail. Citizens and Council agree the traffic simulation would need to be executed during the school year to see the outcome with school traffic. Councilmember Nelson Rowls expressed his concern for growth. Councilmember Summer Jones expressed her concern for the Shell Station owner and patrons. Councilmember Shawna Ford agrees that something needs to be done regarding traffic but not ready to move forward with the couplet.

- c. Presentation and discussion by Freese and Nichols on I/I Reduction Program – Flow Meter Basin #3 Sanitary Sewer Evaluation Survey (SSES) results.

Freese Nichols performed a Sanitary Sewer Evaluation Survey (SSES) of the sewer lines in the City of Aledo. The rehabilitation recommendation is budgeted for Fiscal Year 2024.

- 5. **CONSENT AGENDA:** All items listed below are considered routine by the City Council and will be enacted with one motion. There will be no separate discussion of items unless a Council Member requests, in which event the item will be removed from the general order of business and considered in its normal sequence. Approval of the Consent Agenda authorizes the City Manager to implement each item in accordance with the staff recommendation.

- a. Consider approval of the City Council meeting minutes from the following meetings:

- i. March 23, 2023, Regular City Council Meeting.

Councilmember Christian Pearson motioned to approve the City Council meeting minutes from the March 23, 2023, Regular City Council Meeting. Councilmember Nelson Rowls second the motion.

Motion carried 5-0.

6. **REPORTS:** Reports are prepared for informational purposes and will be accepted as presented (there will be no presentations associated with the report items). There will be no separate discussion unless a City Council Member requests that the report be removed and considered separately.

- a. There are no reports scheduled.

7. PUBLIC HEARINGS AND CITY COUNCIL ACTION ITEMS:

- a. Discuss and consider a Resolution 2023-123 approving the Fiscal Year 2021 Financial Statement.

Motion was made Councilmember Shawna Ford, seconded by Councilmember Sumer Jones to approve Resolution 2023-123 the Fiscal Year 2021 Financial Statement.

Motion carried 5-0.

- b. Discuss, consider, and direct City staff on next steps on the Traffic Operations Analysis for FM 1187 at Eastbound Maverick Street, AKA “the couplet.”

Councilmember Shawna Ford motioned, Councilmember Nelson Rowls seconded to table the Traffic Operations Analysis for FM 1187 at Eastbound Maverick Street, AKA “the couplet.”

Motion carried 4-1.

- c. Public Hearing to consider an ordinance amending Section 23 of the City of Aledo, Texas Zoning Ordinance pertaining to swimming pool standards.

Mayor Pro Tem Shane Davis opened the Public Hearing at 7:35 pm for anyone wishing to speak for or against this item. No one was present to speak, Mayor Pro Tem Shane Davis closed the Public Hearing at 7:35 pm.

- d. Discuss and consider Ordinance Number 2023-177 amending Section 23 of the City of Aledo, Texas Zoning Ordinance pertaining to swimming pool standards.

ORDINANCE NO. 2023-177

AN ORDINANCE OF THE CITY OF ALEDO, TEXAS, AMENDING SUBSECTION 23.4.2, "SWIMMING POOLS," OF SUBSECTION 23.4, "MISCELLANEOUS DEVELOPMENT REGULATIONS" OF SECTION 23, "USE OF LAND AND BUILDINGS (TABLES)/REGULATIONS," OF ORDINANCE NO. B-2008-3, THE CITY OF ALEDO ZONING ORDINANCE, BY AMENDING THE SETBACK REQUIREMENTS FOR SWIMMING POOLS; PROVIDING THAT THIS ORDINANCE BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

**SECTION 3.
PENALTY CLAUSE**

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of, any of the provisions of this Ordinance shall be fined as provided in Section 1-10 of the City Code of Ordinances for each offense. Each day any such violations exist shall constitute a separate offense and shall be punishable as such.

**Section 7.
Effective Date**

This Ordinance shall be in full force and effect from and after its passage as provided by law and is so Ordained.

Motion was made by Councilmember Nelson Rowls, seconded by Councilmember Christian Pearson to approve Ordinance Number 2023-177 amending Section 23 of the City of Aledo, Texas Zoning Ordinance pertaining to swimming pool standards.

Motion carried 5-0

- e. Public Hearing regarding the voluntary annexation of property described as a 106.52-acre tract situated in the T. Rolston Survey, Abstract Number 923, and the J. Wray Survey, Abstract Number 1639, Parker County, Texas, to enlarge and extend the boundary limits of the City of Aledo.

Mayor Pro Tem Shane Davis opened the Public Hearing at 7:44 pm for anyone wishing to speak for or against this item. No one was present to speak, Mayor Pro Tem Shane Davis closed the Public Hearing at 7:44 pm.

- f. Discuss and consider approval of Ordinance Number 2023-178 annexing property described as a 106.52-acre tract situated in the T. Rolston Survey, Abstract Number 923, and the J. Wray Survey, Abstract Number 1639, Parker County, Texas, to enlarge and extend the boundary limits of the City of Aledo.

ORDINANCE NO. 2023-178

AN ORDINANCE PROVIDING FOR THE ANNEXATION INTO THE CITY OF ALEDO OF PROPERTY GENERALLY DESCRIBED BELOW AND FULLY DESCRIBED AND DEPICTED ON EXHIBITS "A" AND "B" LOCATED WITHIN THE CURRENT ETJ OF THE CITY OF ALEDO, TEXAS, FOR ALL MUNICIPAL PURPOSES; PROVIDING FOR FILING NOTICE OF THIS ANNEXATION IN DEED RECORDS OF PARKER COUNTY AND WITH THE PARKER COUNTY APPRAISAL DISTRICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

SECTION 9.

ENGROSS AND ENROLL

The City Secretary of the City of Aledo is directed to engross and enroll this Ordinance by copying the caption, publication clause, and effective date clause in the minutes of the City Council and by filing the Ordinance in the ordinance records of the City.

SECTION 10.

EFFECTIVE CLAUSE

This Ordinance shall be in full force and effect from and after its passage, and is so ordained.

Motion was made by Councilmember Nelson Rowls, seconded by Councilmember Christian Pearson to approve Ordinance Number 2023-178 annexing property described as a 106.52-acre tract situated in the T. Rolsoth Survey, Abstract Number 923, and the J. Wray Survey, Abstract Number 1639, Parker County, Texas, to enlarge and extend the boundary limits of the City of Aledo.

Motion carried 5-0

- g. Public Hearing regarding a request for the initial zoning of newly annexed territory as Planned Development with Single Family R-2 uses for a 106.52-acre tract of land off Bailey Ranch Road, also known as The Lakes.

Mayor Pro Tem Shane Davis opened the Public Hearing at 7:44 pm for anyone wishing to speak for or against this item. No one was present to speak, Mayor Pro Tem Shane Davis closed the Public Hearing at 7:44 pm.

- h. Discuss and consider approval of Ordinance Number 2023-179 designating the initial zoning of newly annexed territory as Planned Development with Single Family R-2 uses for a 106.52-acre tract of land off Bailey Ranch Road, also known as The Lakes.

Motion was made by Councilmember Nelson Rowls, seconded by Councilmember Christian Pearson to approve Ordinance Number 2023-179 designating the initial zoning of newly annexed territory as Planned Development with Single Family R-

2 uses for a 106.52-acre tract of land off Bailey Ranch Road, also known as The Lakes.

Motion carried 5-0

- i. Public Hearing regarding a Zoning Change request from Single Family Residential R-1 to Downtown Business District DB for 6.013 acres of land situated on Lot 1, Block 1-R, Aledo Town and 2.36 acres situated on land from Abstract 483, Fawks LR survey. (100, 213, and 215 Pecan Drive)

Mayor Pro Tem Shane Davis opened the Public Hearing at 7:49 pm for anyone wishing to speak for or against this item. No one was present to speak, Mayor Pro Tem Shane Davis closed the Public Hearing at 7:50 pm.

- j. Discuss and conder Ordinance No. 2023-180 changing the zoning designation from Single Family Residential R-1 to Downtown Business DB for 8.373 acres of land located at 100, 213, and 215 Pecan Drive.

ORDINANCE NO. 2023-180

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ALEDO, AS AMENDED, BY CHANGING THE ZONING OF 6.01 ACRES COMPRISED OF 3.653 ACRES OF LAND, SITUATED ON LOT 1, BLOCK 1-R, ALEDO ORIGINAL TOWN AND 2.36 ACRES SITUATED ON LAND FROM ABSTRACT 483, FAWKS L.R. SURVEY, CITY OF ALEDO, PARKER COUNTY, TEXAS, CURRENTLY ZONED AS R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO DB (DOWNTOWN BUSINESS DISTRICT) ZONING; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

SECTION 6.

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of the provisions of this Ordinance shall be fined not more than Two Thousand (\$2,000) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense. In addition, any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance may be subjected to such civil penalties as authorized by law.

SECTION 10.
EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage and publication as required by law., and is so ordained.

PASSED AND APPROVED THIS THE 27TH DAY OF APRIL, 2023.

Motion was made by Councilmember Nelson Rowls, seconded by Councilmember Summer Jones to approve Ordinance Number 2023-180 changing the zoning designation from Single Family Residential R-1 to Downtown Business DB for 8.373 acres of land located at 100, 213, and 215 Pecan Drive.

Motion carried 5-0

- k. Discuss and consider approving an Agreement for the provision of automated meter services.

Motion was made by Councilmember Nelson Rowls, seconded by Councilmember Summer Jones to table approving an Agreement for the provision of automated meter services.

Motion carried 5-0

8. BOARDS/COMMISSIONS/COMMITTEES

- a. Appointment/Reappointment to Boards/Commissions/Committees – Consider approval regarding appointments to Boards/Commissions/Committees.

None to approve.

- 9. EXECUTIVE SESSION:** Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the City Council may convene in executive session to deliberate regarding the following matters:

- a. **§ 551.071. Consultation with Attorney** – to conduct a private consultation with the City Attorney on any legally posted agenda item, when the City Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items:

- TIRZ.
- Potential Annexation North of Dean Ranch to I-20.

- Dean Ranch Development Conversation.
- Possible Economic Incentives for new businesses.
- *Aledo v. Seigmund* – settlement and easement.
- Settlement demand from Sarah Latimer.

b. **§ 551.087. Deliberation regarding Economic Development Negotiations.**

The City Council may convene in executive session to discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect described above, including the following items:

- Potential Annexation North of Dean Ranch to I-20.
- Dean Ranch Development Conversation.
- Possible Economic Incentives for new businesses.

10. ADJOURN EXECUTIVE SESSION AND RECONVENE INTO OPEN SESSION

11. TAKE ANY ACTION, IF NEEDED, FROM EXECUTIVE SESSION

There was no action to take on items discussed in Executive Session.

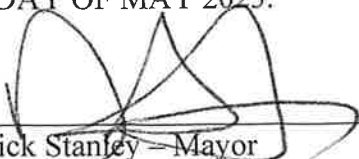
12. COUNCIL RECAP/STAFF COMMENTS DIRECTION: (In compliance with the Texas Open Meetings Act, Council members may comment on routine city matters, may ask questions of staff that require only responses of factual information or statements of existing City policy, or may request that non-routine matters of public concern be placed on a future agenda. Council members may not discuss non-agenda items among themselves. In compliance with the Texas Open Meetings Act, staff members may comment on routine City operations and projects. Staff members may respond to questions from others only with statements of factual information or existing City policy.)

There were no additional comments or updates from Council or Staff.

13. ADJOURN

There being nothing further to discuss or consider Mayor Pro Tem Shane Davis adjourned the regular meeting of the Aledo City Council at 7:51 pm.

PASSED AND APPROVED THIS THE 25th DAY OF MAY 2023.


Nick Stanley – Mayor

ATTEST:



Deana McMullen – City Secretary

