



CITY COUNCIL MINUTES
MEETING LOCATION: ALEDO COMMUNITY CENTER
104 ROBINSON COURT
ALEDO, TEXAS 76008
THURSDAY, NOVEMBER 3, 2022
6:00 P.M.

CALL REGULAR MEETING TO ORDER

1. CALL TO ORDER

Mayor Nick Stanley called the regular meeting of the City Council to order at 6:00 pm on Thursday, November 3, 2022. Those in attendance at this meeting were Mayor Nick Stanley, Councilmember Christian Pearson, Mayor Pro Tem Shane Davis, Councilmember Nelson Rowls, Councilmember Shawna Ford and Councilmember Dan Herbert.

Staff present were City Manager Noah Simon, Director of Public Works Gretchen Vazquez, City Planner Nathan Gonzales, City Secretary Deana McMullen and City Attorney Alicia Kreh.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation was given by Councilmember Christian Pearson. Mayor Nick Stanley 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.

There were no citizen appearances for this meeting.

4. PRESENTATIONS AND PROCLAMATIONS:

- a. Presentation by Jake Battenfield, Capital Partner, Linebarger Attorneys at Law, and discussion with City Council on the Delinquent Tax Collection Report & 2022 Turnover Analysis.

Mr. Jake Battenfield of Linebarger Attorneys at Law was present to discuss with the City Council on the Delinquent Tax Collections Report and 2022 Turnover Analysis. Mr. Battenfield explained to the Council that the taxpayers have heard from their firm many times before a lawsuit is actually filed for collection of past due amounts. He stated that Aledo does not really have a high past due amount. He asked if anyone had any questions and Mayor Nick Stanley thanked him for coming to the Council meeting to give that information to the Council.

- b. Presentation by Preston Scott, Randall Scott Architects, and discussion with City Council on the City Hall project, building design, project schedule, and next steps.

Mr. Preston Scott with Randall Scott Architects gave a presentation to the City Council on the City Hall Building Project. Mr. Prescott stated that he had met with Noah Simon, City Manager several times and that they had made some changes to the original floor plan square footage to help cut costs. The original floor plan design was 33,200 sq ft and now the proposed floor plan is 26,976 sq ft. Due to the rising cost of building supplies, the amount of money needed to achieve the vision of the City Hall building with a two story building would cost an additional \$5 million over the \$18 million that was approved by the bonds. We will work with the City to cut another \$1 million and Noah stated that the City would come up with \$1 million and that would leave \$3 million needed to complete the project as planned. City Manager Noah Simon stated that he had conversations with Erick Macha regarding another bond for the \$3 million needed for the project. Mr. Prescott stated that he needed to know what the Council wanted to do, Option 1 which was do the building right and make it a 100 year building or Option 2 go back and redesign the project as a Single Story building which will reduce the design and appearance as well as a possibility in a few years you will need to add on to the building. This will not give the same Civic appearance.

Following discussion the consensus of the Council was to move forward with Option 1 and discuss the finance situation with Erick Macha with Hilltop on what it will cost to borrow another \$3 million for this project.

Mayor Nick Stanley moved item number 7(b) to this item as it relates to this project.

- (b) Consider authorizing the City Manager to utilize Construction Manager At-

Risk (CMAR) process for the City Hall project.

Motion was made by Mayor Pro Tem Shane Davis, seconded by Councilmember Nelson Rowls to approve for the City Manager to utilize a Construction Manager at Risk for this project as discussed.

Motion carried 5-0

- c. Presentation by Ivan Gonzalez, Place Strategies, Inc., and discussion with City Council on updates to and next steps for the City of Aledo Unified Development Code.

Mr. Ivan Gonzalez with Place Strategies, Inc. was present to update the City Council on next steps for the City of Aledo Unified Development Code. The Unified Development Code is a comprehensive set of regulations that affect how land can be developed and what it can be used for under its purview. A set of all the rules located in one place helps limit contradictions and promotes user friendliness by consolidating amendments, limiting misunderstandings, and having one spot for all development. The next steps to take on this project would be a Topics workshop, a District worksession, a Draft UDC Work Session and finally an Open House. A Plan Aledo Website will be posted for public review of upcoming events, progress and drafts of the code.

No action on this item.

- d. Presentation by Gretchen Vasquez and Shawn Granado, City of Aledo, on the condition of and repairs to the City's Wastewater Treatment Plant.

Councilmember Nelson Rowls stepped out of the meeting at 8: 06 pm. Director of Public Works Gretchen Vazquez and Shawn Granado were present to update the City Council on the Condition and repairs that have been made to the City's Wastewater Treatment Plant. Gretchen introduced Shawn. He is the new Chief Wastewater Treatment Plant operator. City Manager Noah Simon said we were lucky to find Shawn and we are thankful for his hard work. He has been working with Freese & Nichols to get the plant back up to where we need to be. Noah also thanked Gretchen for her service to Aledo. Tomorrow is her last day with us and wished her Good luck. Shawn went over all of the repairs that have been done to the wastewater treatment plant so far to get it back into working order. There is still a lot of work to be done, but we are getting there.

No action on this item.

- e. Presentation by Gennady Boksiner and Allison Hage, Freese and Nichols, and discussion with City Council regarding the Preliminary Design Engineering Services for the City of Aledo's Wastewater Treatment Plant.

Mr. Gennady Boksiner and Allison Hage with Freese & Nichols were present to discuss the preliminary design engineering services or the expansion of the wastewater treatment plant. In 2013 the plant won several awards, one nationally. The city continues to grow and the TECQ has rules set that once you reach 75% capacity then you need to be making plans for expansion. Aledo is there and we need to start the preliminary design phase for the expansion. Councilmember Nelson Rowls returned to the meeting at 8:22 pm. Mayor Nick Stanley moved item number 7 (a) to this portion of the meeting for Council to take action.

7a Consider approving the award of Preliminary Design Engineering Services for the City of Aledo's Wastewater Treatment Plant services to Freese and Nichols in the amount of \$374,294.00.

Motion was made by Mayor Pro Tem Shane Davis, seconded by Councilmember Dan Herbert to approve the award of Preliminary Design Engineering Services for the City of Aledo's Wastewater Treatment Plant services to Freese & Nichols in the amount of \$324,294.00

Motion carried 5-0

- f. Presentation by Jessica Brown, Freese and Nichols, and discussion with City Council regarding water and sewer capacity for the City of Aledo.

Ms. Jessica Brown with Freese & Nichols was present to discuss with the City Council the water and sewer capacity for the City of Aledo. Ms. Brown explained to the city since there is such expected growth with the acquisition of the Dean Ranch and other Development the City needs to start planning for the expansion of the sewer and the water to prepare for the growth that is coming.

- 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 financial dashboard for Fiscal Year 2022 – 2023, the month ending October 31, 2022, City of Aledo.
- b. Consider approval of the 4th Quarter Investment Report for Fiscal Year 2022 – 2023, all cash and investments through September 2022.

Motion was made by Mayor Pro Tem Shane Davis, seconded by Councilmember Nelson Rowls to approve the consent agenda as presented.

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.

There are no reports scheduled.

7. PUBLIC HEARINGS AND CITY COUNCIL ACTION ITEMS:

- c. Consider the acceptance of the resignation of Councilmember Dan Herbert, Place 5, City of Aledo.

Councilmember Dan Herbert has submitted his resignation as City Council Place 5 due to his family and himself moving out of the City limits of the City of Aledo. The Home Rule Charter adopted by the City of Aledo states that when a Councilmember resigns and has more than one (1) year left on their term, a Special Election must be held to fill the unexpired term. Mr. Herbert's seat has more than one year due to the transition of going to three (3) year terms.

Motion was made by Councilmember Christian Pearson, seconded by Mayor Pro Tem Shane Davis to reluctantly accept the resignation of Dan Herbert in City Council Place 5.

Motion carried 4-1(abstained) (Dan Herbert did not vote)

- d. Briefing from the City Attorney and discussion with City Council on filling the City of Aledo, Place 5 Council seat.

As discussed in item c above Aledo must hold a Special Election within 120 days of today, November 3, 2022 to fill this vacancy of Councilmember Dan Herbert who resigned his position on the Council due to moving out of the city limits of Aledo.

The date for the Special Election would need to be somewhere between February 9th and March 3rd. Details will be forthcoming at the December 1, 2022 City Council meeting as we will have to Order the Election.

City Attorney Alicia Kreh stated that Mr. Herbert can continue to serve until his successor is elected and takes office

8. EXECUTIVE SESSION:

Mayor Nick Stanley adjourned the regular session of the City Council into Executive Session at 9:18 pm to discuss the items listed below. Those in attendance of this meeting were Mayor Nick Stanley, Mayor Pro Tem Shane Davis, Councilmember Dan Herbert, Councilmember Christian Pearson, Councilmember Shawna Ford, City Manager Noah Simon, City Attorney Alicia Kreh, City Secretary Deana McMullen and Special guest(s) Jessica Brown, Steve James and Nicholas with Freese & Nichols. During the discussion regarding a temporary City Hall building, Mayor Nick Stanley removed himself from the Executive Session at 9:55 pm. He returned back to the Executive Session at 10:01 pm.

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.
 - Possible Economic Incentives for new businesses.
- b. **§551.072 – Deliberation about Real Property** - Deliberation regarding the purchase, exchange, lease or value of real property, and property owned or leased by the City.
 - Temporary City Hall
- c. **§ 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.

9. ADJOURN EXECUTIVE SESSION AND RECONVENE INTO OPEN SESSION

Mayor Nick Stanley adjourned the Executive Session meeting at 10:06 and called the regular meeting back to order at 10:07 pm.

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

There was no action on any item discussed in Executive Session.

11. 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 staff or council comments or direction at this meeting.

12. ADJOURN


With there being nothing further to discuss or consider Mayor Nick Stanley adjourned the regular meeting of the Aledo City Council at 10:09 pm.

PASSED AND APPROVED THIS THE 1st DAY OF December 2022.

ATTEST:


Deana McMullen, City Secretary

APPROVED:


Nick Stanley, Mayor