

**CITY OF ALEDO, TEXAS
CITY COUNCIL MINUTES
MEETING LOCATION: ALEDO COMMUNITY CENTER
104 ROBINSON COURT
ALEDO, TEXAS 76008
THURSDAY, MARCH 29, 2018
7:00 P.M.**

CALL TO ORDER

The Aledo City Council met in regular session on February 22, 2018, at the Aledo Community Center, 104 Robinson Court, Aledo, TX 76008. Mayor Kit Marshall called the meeting to order at 7:00 p.m. with the following members present; Councilmember Jean Bailey, Councilmember Spencer Perry and Councilmember Dan Herbert. Councilmember Robert Wood and Mayor Pro Tem Kimberly Hiebert were not present having given prior notice of their absences.

Staff members present at the meeting were: City Administrator Ken Pfeifer and City Secretary Deana McMullen, Director of Public Works David Fain, Accounting Coordinator Kari Kszyminski and City Attorney Fritz Quast.

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation was given by Pastor Teresa Trusner with First Christian Church of Aledo. Mayor Kit Marshall led the Pledge of Allegiance.

CITIZEN APPEARANCES

CITY COUNCIL CANNOT DISCUSS ANY PRESENTED ISSUE NOR MAY ANY ACTION BE TAKEN ON ANY ISSUE AT THIS TIME. COMMENTS ARE LIMITED TO (3) MINUTES AND THIS TIME IS NOT TRANSFERABLE. PLEASE SIGN IN BEFORE THE START OF TONIGHT'S MEETING.

Kyle & Kaitlyn Smith of 708 Smyth Street addressed the City Council regarding the possibility of changing Ordinance number 01-01 in reference to the keeping of bees on a residential property to allow for a lesser requirement than the one acre size currently required in the ordinance.

Since this item was not on the Council Agenda, the City Council could not take any action regarding it. It was agreed that this could come back to the table at the meeting in April to be considered.

CONSENT AGENDA:

All of the following items on the consent agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member so requests. Approval of the consent agenda

authorizes the City Administrator to implement each item in accordance with the staff recommendation.

The Consent Agenda was presented as follows:

- 1. February 22, 2018, Regular City Council Minutes.**
- 2. February 2018 Monthly Financial report.**
- 3. Approval of Ordinance C-2018-089 to declare candidates for Mayor and City Council Place 2 and 4 unopposed and cancel the May 5, 2018 General Election.**
- 4. Approval of agreement for Interim Director of Public Works**
- 5. Approval of appointment of Municipal Court Judge Craig Magnuson.**

Councilmember Jean Bailey asked that items number 4 and 5 be removed from the Consent agenda for discussion.

Motion was made by Councilmember Jean Bailey, seconded by Councilmember Dan Herbert to approve items 1 through 3 listed on the consent agenda.

Motion carried 3-0

Councilmember Jean Bailey asked about item number 4, approval of agreement for Interim Director of Public Works through Texas First Group and asked that the County be changed from Hays to Parker and that she had a concern regarding the Hold Harmless clause and whether or not the individual would be covered by the City Insurance policy. It was determined that they would be covered by the City Insurance liability policy.

Councilmember Jean Bailey stated that she would have liked to have had a resume from Mr. Craig Magnuson that is being considered for the position of Municipal Court Judge. Mr. Magnuson was at the Council meeting and gave a brief history of his background and experience.

Motion was made by Councilmember Jean Bailey, seconded by Councilmember Spencer Perry to approve items number 4 and 5 following the discussion.

Motion carried 3-0

ITEMS FOR DISCUSSION:

- 6. Discussion and action concerning annual Financial Audit October 1, 2016 through September 30, 2017.**

Mike Vail, CPA was present to discuss the Annual Financial Audit –October 1, 2016 to September 30, 2017. Mr. Vail said that the City of Aledo has a clean audit and found no instances of non-compliance that are required to be reported under Government Auditing Standards.

Following the presentation motion was made by Councilmember Jean Bailey seconded by Councilmember Dan Herbert to approve the audit as presented.

Motion carried 3-0

7. Public Hearing - to receive input regarding a Concept Plan for a tract of land, said tract being 5.34 acres of land to be subdivided and named the “Villas Downtown”, situated in the RC Eddleman Survey, Abstract Number 438, Aledo, Parker County, Texas.

Mayor Marshall opened the Public Hearing to receive input regarding a Concept Plan for a tract of land to be named “Villas Downtown” at 7:30 p.m.

Cory Sears was present to answer any questions on behalf of Randal Sears who was present but not able to talk due to illness. This item has been before the Planning & Zoning several times and changes were made that were discussed with that board. Council agreed that the Concept before them tonight was much better than the original plan.

There was no one present to discuss for or against this item. Mayor Marshall closed the Public Hearing at 7:51 p.m.

8. Discuss and action regarding a Concept Plan for a tract of land, said tract being 5.3395 acre planned development located on Old Annetta Road, land to be subdivided and named the “Villas Downtown”, situated in the RC Eddleman Survey, Abstract Number 438, Aledo, Parker County, Texas.

Motion was made by Councilmember Dan Herbert, seconded by Councilmember Spencer Perry to approve the Concept Plan for the “Villas Downtown” project as presented.

Motion carried 3-0

9. Public Hearing: to receive input regarding a request for a Zoning Change from (PD/C-2 Planned Development to PD-R3 Residential), said tract being 5.34 acres of land to be subdivided and named the “Villas Downtown”, situated in the RC Eddleman Survey, Abstract Number 438, Aledo, Parker County, Texas.

Mayor Marshall opened the Public Hearing to receive input regarding a request for a Zoning Change from PD/C-2 Planned Development Commercial to PD/R-3 Residential for the “Villas Downtown” at 7: 52 p.m.

There was no one present to speak for or against this item. Mayor Marshall closed the Public Hearing at 7:53 pm.

10. Discussion and consider approval of Ordinance 2018-090 for the request for a Zoning Change from (PD/C-2 Planned Development to PD-R3 Residential), said tract being 5.34 acres of land to be subdivided and named the “Villas Downtown”, situated in the RC Eddleman Survey, Abstract Number 438, Aledo, Parker County, Texas.

Motion was made by Councilmember Jean Bailey, seconded by Councilmember Dan Herbert to approve the Zoning Change request for the “Villas Downtown” project.

Motion carried 3-0

11. Discussion and action concerning approval of long-term electricity rates for the City of Aledo street lights, sewer and water operations and City buildings.

Chris Watson with Energy By 5 was present to discuss with the City Council long-term electricity rates for the City of Aledo street lights, sewer and water operations and City buildings. City Council previously approved the new low rate of \$0.03994 per kWh that will take effect June 1, 2018 and will end May 31, 2021. Mr. Watson stated that electric rates are currently very low and now would be a good time to lock in low rates after May 31, 2021 for a period of 1, 2,3,4 or 5 years.

Motion was made by Councilmember Jean Bailey, seconded by Councilmember Spencer Perry to approve a long term electric rate for the City of Aledo for a 48 month term with a supplier at a rate no higher than \$0.3780 per kWh.

Motion carried 3-0

12. Discussion and action to consider the approval of a contract and purchase of a bathroom to be located in Aledo Commons utilizing the Local Government Purchasing Cooperative (Buy Board)

The next phase of construction for the Aledo Commons area is to construct a restroom facility. Staff along with Parks & Rec and the AEDC Board have reviewed and provide comments and recommendations to the Council for the restroom. The cost of the restroom facility through Restroom Facilities Limited is \$164,027.

Motion was made by Councilmember Spencer Perry, seconded by Councilmember Dan Herbert to approve the purchase of the restroom facility for the Aledo Commons area for the amount of \$164,027 as discussed.

Motion carried 3-0

13. Discussion and action to consider approving the 2017 Old Annetta Road – SRTS Transportation Alternatives Set-Aside (TASA) Program Advanced Funding Agreement and adopt a Resolution.

Motion was made by Councilmember Jean Bailey, seconded by Councilmember Spencer Perry to approve the 2017 Old Annetta Road – SRTS Transportation Alternative Set-Aside (TASA) Program Advanced Funding Agreement for the Sidewalk Program and adopt Resolution Number 2018-049.

Motion carried 3-0

14. Discussion concerning amending the political sign ordinance and codes.

City Attorney Fritz Quast was present to discuss the possible amending of the political sign ordinance and codes.

Mr. Quast stated that there have been numerous changes in the laws regarding political signs and that we can change our ordinance to reflect the constitutional amendments and it will be fairly simple or we can get into the details of the ordinance and make all the other changes and it would have to go before the Planning & Zoning board for their recommendations then back to City Council.

It was decided that the Council would like to move forward with the abridged version of the changes and then look at the amendment of the ordinance itself at a later date.

There was no action regarding this item.

REPORTS:

15. Monthly reports:

- a. City Administrator's Monthly Report**
- b. City Secretary's Monthly Report – Farmers Market**
- c. Director of Public Works' Monthly Report**
- d. Accounting Coordinator's Monthly Report**
- e. Municipal Court Monthly Report**
- f. East Parker County Library report**
- g. Parker County Sheriff's Office monthly report**

City Administrator Ken Pfeifer told Director of Public Works David Fain thank you for his four years with the City of Aledo and all that he accomplished during his employment here. David is retiring and setting out to see the Country. Interim Director of Public Works Bill Funderburk will work with us until we find a permanent replacement for David. Everyone wished him well.

City Secretary Deana McMullen reported that the Aledo Farmers Market started back up on Monday, March 19, 2018 from 3-6 pm and will be open every Monday now through the Fall.

Director of Public Works David Fain thanked everyone for the well wishes and stated that he had enjoyed his time with the City of Aledo.

COUNCIL AND STAFF COMMENTS

(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, city 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.)

Mayor Kit Marshall said Thank You to David Fain for his work during his tenure with the City of Aledo and all that he had accomplished while working here.

Mayor Marshall read aloud a letter from Ms. Gay Larson – Master Gardner thanking the City of Aledo for installing a sprinkler system at the Community Center. Mayor Marshall stated that the Master Gardeners have done an excellent job maintaining the grounds at the Community Center and the Aledo City Hall citing that they have saved the City hundreds of dollars for all the work they have done.

City Councilmember Jean Bailey wanted to remind everyone of the upcoming Talent Show sponsored by the East Parker County Library on April 20, 2018 at 7:00 p.m.

EXECUTIVE SESSION

The City Council for the City of Aledo, Texas, will convene into Executive Session pursuant to the Texas Government Code, Chapter 551 to discuss the following:

The city council may convene in executive session to receive advice from its attorney on any posted item and to seek advice regarding

16.) 551.071 CONSULTATION WITH ATTORNEY – SEEK ADVICE REGARDING 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 THIS CHAPTER, NAMELY:

- a) Discussion on Cause No. CV10-0429, City of Willow Park v. Todd C. Brennan, et al. v. Parker County Appraisal District, Parker County Appraisal Review Board, City of Aledo, Larry Hammonds in his official capacity as Parker County Appraisal District Director**
- b) Discussion on Cause No. CV16-0668, Chamese Yarborough v. City of Aledo**

- 17.) 551.072 - Deliberation Regarding Real Property; To deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Additionally the Council may convene in executive session to receive advice from the City Attorney on any posted item.

ADJOURN EXECUTIVE SESSION AND RECONVENE INTO OPEN SESSION

18. Any action necessary from Executive Session


There was no Executive Session at this meeting.

ADJOURN

With there being nothing further to discuss or consider Mayor Kit Marshall adjourned this regular meeting of the City Council at 8:59 p.m.

PASSED AND APPROVED THIS THE 20th DAY OF April 2018.

ATTEST:


Deana McMullen, City Secretary




Kit Marshall, Mayor