

**CITY OF ALEDO, TEXAS  
CITY COUNCIL MINUTES  
MEETING LOCATION: ALEDO COMMUNITY CENTER  
104 ROBINSON COURT  
ALEDO, TEXAS 76008  
THURSDAY, AUGUST 27, 2015  
7:00 P.M.**

**CALL TO ORDER**

The Aledo City Council met in regular session on Thursday, August 27, 2015, at the Aledo Community Center, 104 Robinson Court, Aledo, TX 76008. Mayor Kit Marshall called the meeting to order at 7:03 p.m. with the following members present: Councilmember Kerby Smith, Councilmember Jean Bailey, Councilmember Bob Wood, Mayor Pro Tem Kimberly Hiebert and Councilmember Paula Johns.

Staff members present were: City Administrator Ken Pfeifer, City Secretary Deana McMullen, Director of Public Works, David Fain, Accounting Coordinator Kari Kszyminski and City Attorney Betsy Elam

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Peter Couser of The Summit gave the Invocation. Councilmember Bob Wood led the Pledge of Allegiance.

**PROCLAMATIONS**

**Recognition of AISD Awards/Championships**

**Recognition of Aledo Athletics Pinto Baseball Team – Aledo Black**

Mayor Kit Marshall presented the Proclamation of Special Recognition to Dr. Citty of the AISD recognizing the outstanding students in the Aledo High School for their achievements during the 2014-2015 School Year. Dr. Citty thanked Mayor Marshall and the City Council for the recognition and the partnership between the school district and the city.

Mayor Marshall then presented a Certificate of Special Recognition to the Aledo Athletics Pinto Baseball Team – Aledo Black for winning the Pinto World Series for the first time in 60 years.

**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.**

Mr. Robert Cox of 131 Crooked Stick Lane was present to make comments regarding the Waste

Transfer Station. Mayor Kit Marshall asked that this be moved to the item Mayor and Council Comments.

### **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. July 23, 2015 Regular City Council Minutes.**
- 2. July 2015 Monthly Financial report.**
- 3. Approval of appointment of Reign VanDertuin to Zoning Board of Adjustments.**

Councilmember Bob Wood asked a question regarding item number three regarding the appointment of Reign VanDertuin's appointment to Zoning Board of Adjustment and that the application was not marked for this position. Mayor Marshall explained that during the Board review process Mr. VanDertuin was asked if he would consider serving for the Zoning Board of Adjustments as well as Planning & Zoning and he agreed.

Councilmember Jean Bailey stated that Mr. VanDertuin's name was misspelled on item number five in the July 23, 2015 regular minutes and asked that it be corrected.

Motion was made by Mayor Pro Tem Kimberly Hiebert, seconded by Councilmember Paula Johns to approve the consent agenda as presented and discussed.

Motion carried 5-0

### **ITEMS FOR DISCUSSION:**

#### **4. Discussion and action concerning results of trash/recycling survey options.**

Ms. Jeri Harwell from Republic Waste/Duncan was present to discuss possible options for a recycling program in the City of Aledo. Ms. Harwell stated that the current contract will expire in May of 2016. It can renew automatically for two years. All six cities involved in the contract will have to agree to it.

There was discussion regarding the three different options for recycling:

\*\* No change in service/no recycling\*\*

\*\* Once per week trash pickup/once per week recycling\*\*

\*\* Twice per week trash pickup/once per week recycling\*\*

There was also discussion on the survey that was taken on the three options. The main reason that people voted against it all together is due to an increase in price on their water bills.

It was noted during the discussion that there are various locations in the area that citizens can take recyclable materials. Plastics can be taken to Brookshires/plastic bags can be taken to Wal-Mart and paper items can be taken to the school bins.

Mr. Weldon Turner – 220 Hidden Valley commented on the recycling program stating that it is a personal matter and people should utilize the services that are already in the area. This is not government responsibility to provide. It is an individual matter and we should leave as is with no additional cost to the citizens.

The council stated that they need more definite information regarding the costs that we would be looking at for the different options.

There was no action on this item. There will be additional discussions at a later date.

Mayor Kit Marshall called for a short break at 8:43 p.m. Mayor Kit Marshall then reconvened the regular meeting at 8:45 p.m. and adjourned into Executive Session at 8:45 p.m. to discuss items under 551.074. PERSONNEL MATTERS: Authorizing certain deliberations pertaining to the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

a) Discussion regarding Salary for City Secretary Deana McMullen

The Executive Session was attended by Mayor Kit Marshall, Mayor Pro Tem Kimberly Hiebert, Councilmember Kerby Smith, Councilmember Jean Bailey, Councilmember Bob Wood, Councilmember Paula Johns, City Administrator Ken Pfeifer and City Attorney Betsy Elam.

The Executive Session was adjourned and Mayor Kit Marshall called the meeting back to order at 9:22 p.m.

**5. Public Hearing- Presentation and discussion concerning the proposed FY 2015-2016 Budget and the proposed tax rate of \$0.3850 per \$100 taxable value.**

Mayor Kit Marshall opened the Public Hearing at 9:23 p.m. for anyone wishing to speak for or against the proposed FY 2015-2016 Budget and proposed tax rate of \$0.3850 per \$100 taxable value.

The 2nd Public Hearing and discussion will be held at a Special meeting on Thursday, September 3, 2015 at 7:00 p.m.

With there being no one here to speak for or against this item Mayor Kit Marshall closed the Public Hearing at 9:25 p.m.

City Administrator Ken Pfeifer presented the proposed FY 2015-2016 Budget to Council. The proposed General Fund budget is \$2,298,931, and the proposed Water & Sewer Fund budget is \$2,170,700. The proposed Debt Service budget is \$1,022,270 decreasing from \$1,091,535, in FY 2014-2015. The proposed Economic Development Corporation budget is \$251,435, a decrease from \$414,390 in FY 2014-2015.

The proposed budget that was presented is a balanced budget and was based on a proposed tax rate of \$0.385 per \$100 valuation with property valuations increasing from \$199,497,979 to \$230,017,070 due to new construction.

Items added to the Budget from the last meeting are the Dump Truck for \$55,000 and Outside Warning System for \$40,000.

During this discussion the city council asked staff to look at adding \$24,000 from general fund reserves to rehab Holt Lane as part of the street maintenance program for the 2015-2016 budget year.

The proposed tax rate is the same tax rate of \$0.385 per \$100 valuation as last year.

Staff answered questions, and no action was taken on this item.

**REPORTS:**

**6. Monthly reports:**

- a. **City Administrator's Monthly Report – Budget Amendments**
- b. **City Secretary's Monthly Report**
- c. **Director of Public Works' Monthly Report – Park updates**
- 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 reported to the Council regarding Budget amendments for the FY 2014-2015 budget. This will be coming to the council on the agenda for September 17, 2015. Also there is an update on the construction of the I20 Bridge. The completion for this project is targeted for Fall of 2016.

Director of Public Works David Fain reported to Council regarding the Parks update. The Pavilion for the Community Center park has been ordered and should be in by 1<sup>st</sup> of September. The Pavilion should start going up sometime in September.

### **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 made some comments regarding the involvement of the City of Aledo in a court case regarding the Republic Waste Transfer Station. The City of Aledo has been involved with this for five years. The Appeals Court recently overturned the Austin District Court's ruling on party status in the Aledo/Willow Park case regarding the Republic Waste Transfer Station. With the denial by the Appeals Court of party status for the cities, the far reaching effect with the TCEQ permitting process has the potential to negatively impact all local governments. It removes local control by blocking local government entities even the ability to participate in the process of seeking legal standing or party status.

In an effort to file a motion for rehearing to seek legal standing or party status, Aledo Mayor Kit Marshall has contacted a number of local government entities and State associations to write an amicus brief in support of a governmental jurisdictions' ability to seek legal standing and allow public input into the TCEQ permitting process. All the local government entities and State associations that Mayor Marshall contacted fully understand the importance of local control and public input, but were unable to participate for various reasons.

A motion for rehearing will not be filed. Mayor Marshall stated that this was the most difficult news to share with the Council and citizens.

Mr. Robert Cox of 131 Crooked Stick Lane was present and expressed his concerns regarding the Waste Transfer Station case.

No action was taken on this item.

## **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**

**7.) 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 the appeal in the Application of Republic Waste Services of Texas, Ltd. for Municipal Solid Waste Permit No. 2356**
- 8.) 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.**
- 9.) 551.074. PERSONNEL MATTERS: Authorizing certain deliberations pertaining to the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.**
  - a) Discussion regarding Salary for City Secretary Deana McMullen**

**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**

### **10. Any action necessary from Executive Session**

Motion was made by Councilmember Jean Bailey seconded by Councilmember Paula Johns to raise City Secretary Deana McMullen salary to \$59,000 per year beginning October 1, 2015 with the start of the new budget.

Motion carried 5-0

**ADJOURN**

There being nothing further to discuss or consider Mayor Kit Marshall adjourned this regular meeting of the City Council at 10:25 p.m.

PASSED and APPROVED this the 27th day of September 2015.

Kit Marshall, Mayor

ATTEST:  
Deana McMullen, City Secretary