

**CITY OF ALEDO, TEXAS
CITY COUNCIL MINUTES
MEETING LOCATION: ALEDO COMMUNITY CENTER
104 ROBINSON COURT
ALEDO, TEXAS 76008
THURSDAY, SEPTEMBER 17, 2015
7:00 P.M.**

CALL TO ORDER

The Aledo City Council met in regular session on Thursday, September 17, 2015, at the Aledo Community Center, 104 Robinson Court, Aledo, TX 76008. Mayor Kit Marshall called the meeting to order at 7:30 p.m. with the following members present: Councilmember Jean Bailey, Mayor Pro Tem Kimberly Hiebert, Councilmember Paula Johns and Councilmember Bob Wood. Councilmember Kerby Smith was not present at this regular meeting having given prior notice of his absence.

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 Betsy Elam.

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation was given by Mayor Kit Marshall. Councilmember Bob Wood led the Pledge of Allegiance.

Mayor Kit Marshall read aloud a Proclamation Proclaiming September 17, 2015 as North Texas Giving Day.

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.

There were no citizen appearances for this meeting.

ITEMS FOR DISCUSSION:

1. Discussion and action concerning approval of an Ordinance adopting the Fiscal Year 2015-2016 annual budget.

Motion was made by Councilmember Paula Johns seconded by Councilmember Jean Bailey to approve the Ordinance that adopts the Fiscal Year 2015-2016 annual budget.

Motion carried 4-0 with Councilmember Jean Bailey, Councilmember Bob Wood, Mayor Pro Tem Kimberly Hiebert and Councilmember Paula Johns voting in favor of the motion. Mayor Kit Marshall does not vote except in the case of a tie vote.

2. Discussion and action to ratify the property tax revenue increase reflected in the Fiscal Year 2015-2016 annual budget.

Motion was made by Councilmember Jean Bailey seconded by Councilmember Paula Johns to ratify the property tax revenue increase reflected in the Fiscal Year 2015-2016 annual budget.

Motion carried 4-0

3. Discussion and action concerning approval of an Ordinance setting the Ad Valorem Tax Rate of \$0.3850 per \$100 taxable value for Fiscal Year 2015-2016.

Councilmember Jean Bailey made a motion, seconded by Mayor Pro Tem Kim Hiebert that the property tax rate be increased by the adoption of a tax rate of \$0.3850 per \$100 taxable value which is effectively an 8.14% increase in the tax rate.

(the property tax revenue has increased due to assessed valuation increases and new construction)

Motion carried 4-0

4. Public Hearing – The purpose of said hearing is to receive input regarding the Conceptual Plan for a tract of land to be subdivided and named Parks of Aledo Vista Point; said tract being 132.53 acres out of John Sparger Survey, Abstract No. 1230 the Richard R. Eddleman Survey, Abstract No. 438 the James B. Carr Survey, Abstract No. 255, being a portions of Tract No. 1, Tract No. 2 and Tract No.3 as deeded to Noel R. Bailey and wife Elaine D. Bailey as referenced in Volume 1161, page 505, and as described in Volume 279, Page 416, Deed Records of Parker County, Texas.

5. Public Hearing – the purpose of said hearing is to receive input regarding approval of an ordinance to amend the Future Land Use Plan (FLUP) from Single Family District to General Commercial District and from Single Family District and Commercial to (PD) Planned Development for 128.75 acres out of the James B.Carr Survey, Abstract No. 255, the John Sparger Survey, Abstract 1230, the Richard R. Eddleman Survey, Abstract No. 438 and the John G. Wray Survey, Abstract No. 1639, Parker County, TX, said tract of land being further described as being portions of Tract No. 1, Tract No. 2 and Tract No. 3 as deeded to Noel R. Bailey and wife, Elaine D. Bailey as referenced in Volume 1161, Page 505, described in Volume 279,Page 416, Deed Records, Parker County, TX.

6. Public Hearing – the purpose of said hearing is to receive input regarding approval of an ordinance to rezone a tract of land from (R-1 & R-2) Single Family Residential District to (C2)

General Commercial District said tract being 21.71 acres out of John Sparger Survey, Abstract No. 1230 and the James B. Carr Survey, Abstract No. 255, being a portion of Tract No. 2 as deeded to Noel R. Bailey and wife Elaine D. Bailey as referenced in Volume 1161, page 505, Volume 279, Page 416, Deed Records of Parker County, Texas.

7. Public Hearing – the purpose of said hearing is to receive input regarding approval of an ordinance to rezone a tract of land from (R-2 & R-1) Single Family Residential District and to Planned Development (R-2)(PD); said tract being 128.75 acres out of John Sparger Survey, Abstract No. 1230 and the James B. Carr Survey, Abstract No. 255, being a portion of Tract No. 2 as deeded to Noel R. Bailey and wife Elaine D. Bailey as referenced in Volume 1161, page 505, deed records of Parker County, Texas.

8. Public Hearing – the purpose of said public hearing is to receive input regarding approval of an ordinance to amend the Thoroughfare Plan recognizing the realignment of Bailey Ranch Road and Jenkins Road.

Mayor Kit Marshall opened the Public Hearings for items 4 thru 8 at 7:39 pm for anyone wishing to speak for or against any of the items regarding the Concept Plan/Future Land Use Plan/or Zoning change requests for the proposed development, Parks of Aledo Point Vista.

Fred Disney and Justin Welborn were in attendance to give a presentation regarding the proposed development Parks of Aledo Point Vista. This will be a 132 acre Planned Development with 266 proposed lots with 45% open space and 65% of the lots will be adjacent to the open space. There will be 70 lots in the first phase. This development will have a specialized trail system that will be approximately 4 ½ miles, a community garden, a dog park, Frisbee golf and Shade structures as well as a 20' pedestrian walkway.

The Concept Plan is almost identical to the Parks of Aledo with the exception of the siding/masonry. The existing plan is 100% except over roof lines. We can change the line to read except where architectural design on the development plan is approved by council.

There was no one present to speak for or against this project.

Mayor Kit Marshall closed the Public Hearing for items 4 thru 8 at 8:14 pm

9. Public Hearing – the purpose of said public hearing is to receive input regarding approval to amend the Zoning Ordinance, Section 23.1, Table 3, to add a “P” – Permitted use- for a Fire Station or Similar Public Safety Building in a C-2 Commercial District.

Mayor Kit Marshall opened the public hearing to receive input for or against the request to amend the Zoning Ordinance, Section 23.1 Table 3 to add a “P” Permitted use for a Fire Station or similar public safety building in a C-2 Commercial District at 8:15 p.m. There was no one to speak for or against this item. Mayor Kit Marshall closed the Public Hearing at 8:15 pm

10. Discuss and consider approval of the request for the Conceptual Plan for a tract of land to be subdivided and named Parks of Aledo Vista Point; said tract being 132.53 acres out of John Sparger Survey, Abstract No. 1230 the Richard R. Eddleman Survey, Abstract No. 438 the James B. Carr Survey, Abstract No. 255, being a portions of Tract No. 1, Tract No. 2 and Tract No.3 as deeded to Noel R. Bailey and wife Elaine D. Bailey as referenced in Volume 1161, page 505, and as described in Volume 279, Page 416, Deed Records of Parker County, Texas.

Motion was made by Mayor Pro Tem Kimberly Hiebert seconded by Councilmember Paula Johns to approve the request for the Conceptual Plan for the tract of land that will be named Parks of Aledo Vista Point except as otherwise approved by the City Council on the Development Plan regarding the siding/masonry requirements.

Motion carried 4-0

11. Discuss and consider approval of an ordinance to amend the Future Land Use Plan (FLUP) from Single Family District to General Commercial District and from Single Family District and Commercial District to Planned Development for 128.75 acres out of the James B.Carr Survey, Abstract No. 255, the John Sparger Survey, Abstract 1230, the Richard R. Eddleman Survey, Abstract No. 438 and the John G. Wray Survey, Abstract No. 1639, Parker County, TX, said tract of land being further described as being portions of Tract No. 1, Tract No. 2 and Tract No. 3 as deeded to Noel R. Bailey and wife, Elaine D. Bailey as referenced in Volume 1161, Page 505, described in Volume 279,Page 416, Deed Records, Parker County, TX

Motion was made by Councilmember Jean Bailey seconded by Councilmember Paula Johns to approve the Ordinance to amend the Future Land Use Plan (FLUP) for the Parks of Aledo Vista Point Development.

Motion carried 4-0

12. Discuss and consider approval of an ordinance to rezone a tract of land from (R-1 & R-2) Single Family Residential District to (C2) General Commercial District said tract being 21.71 acres out of John Sparger Survey, Abstract No. 1230 and the James B. Carr Survey, Abstract No. 255, being a portion of Tract No. 2 as deeded to Noel R. Bailey and wife Elaine D. Bailey as referenced in Volume 1161, page 505, Volume 279, Page 416, Deed Records of Parker County, Texas.

Motion was made by Councilmember Paula Johns seconded by Councilmember Jean Bailey to approve the Ordinance to rezone the tract of land from (R-1 & R-2) Single Family Residential District to (C2) General Commercial District for Parks of Aledo Vista Point.

Motion carried 4-0

13. Discuss and consider approval of an ordinance to rezone a tract of land from (R-2 & R-1) Single Family Residential District to Planned Development (R-2)(PD); said tract being 128.75

acres out of John Sparger Survey, Abstract No. 1230 and the James B. Carr Survey, Abstract No. 255, being a portion of Tract No. 2 as deeded to Noel R. Bailey and wife Elaine D. Bailey as referenced in Volume 1161, page 505, deed records of Parker County, Texas.

Motion was made by Mayor Pro Tem Kimberly Hiebert, seconded by Councilmember Jean Bailey to approve the ordinance to rezone a tract of land from R-2 & R-1 Single Family Residential District to Planned Development (PD/R-2) for a development to be known as Parks of Aledo Vista Point.

Motion carried 4-0

14. Discuss and consider approval of an ordinance to amend the Thoroughfare Plan recognizing the realignment of Bailey Ranch Road and Jenkins Road.

Motion was made by Councilmember Jean Bailey seconded by Councilmember Paula Johns to approve the ordinance to amend the Thoroughfare Plan recognizing the realignment of Bailey Ranch Road and Jenkins Road.

Motion carried 4-0

15. Discuss and consider approval of an ordinance to amend the Zoning Ordinance, Section 23.1, Table 3, to add a “P” – Permitted use- for a Fire Station or Similar Public Safety Building in a C-2 Commercial District.

Motion was made by Councilmember Jean Bailey, seconded by Mayor Pro Tem Kimberly Hiebert to approve an ordinance to amend the Zoning Ordinance, Section 23.1, Table 3, to add a “P” – Permitted use- for a Fire Station or Similar Public Safety Building in a C-2 Commercial District.

Motion carried 4-0

16. Discussion and action regarding approval of an Ordinance for Budget Amendments for FY 2014-2015.

Motion was made by Councilmember Paula Johns seconded by Councilmember Jean Bailey to approve the ordinance for the Budget Amendments for FY 2014-2015 as presented.

Motion carried 4-0

17. Discussion and action concerning demolition of a structure at 212 East Oak Street in the Downtown Business District.

Mayor Kit Marshall adjourned the regular session into an Executive Session at 8:23 p.m. under section 551.071 -CONSULTATION WITH ATTORNEY. The Executive Session was attended by Mayor Kit Marshall, Mayor Pro Tem Kimberly Hiebert, Councilmember Jean Bailey,

Councilmember Bob Wood, Councilmember Paula Johns, City Administrator Ken Pfeifer, City Secretary Deana McMullen and City Attorney Betsy Elam.

Mayor Kit Marshall adjourned the Executive Session at 8:46 pm and reconvened the regular session of the City Council at 8:46 p.m.

No action was taken on items discussed in Executive Session.

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:

- 18. August 27, 2015 Regular City Council Minutes**
- 19. September 3, 2015 Special City Council Minutes**
- 20. August 2015 Monthly financial report**
- 21. Approval of an ordinance to designate an official newspaper for Fiscal Year 2015-2016**
- 22. Approval of contract with East Parker County Library for Fiscal Year 2015-2016**
- 23. Approval of agreement with Jaxson Technical (Jack Liford) for inspection services for Fiscal Year 2015-2016**
- 24. Approval of agreement with Thomas Caylor for health inspection services for Fiscal Year 2015-2016**
- 25. Approval of an ordinance amending the Fee Schedule for Fiscal Year 2015-2016**
- 26. Approval of employee health, dental, vision and life insurance coverage for Fiscal Year 2015-2016 and appointing Brandon Robinson as the City's agent of record**
- 27. Approval of rescheduling November & December Council meetings due to the Holidays**
- 28. Pursuant to Ordinance number C-2007-08, the City Secretary will provide a report to the City Council concerning board and commission activity for the past year.**
- 29. Approval of reappointment of members in odd-numbered places to the various boards and commissions.**

Motion was made by Councilmember Paula Johns seconded by Mayor Pro Tem Kimberly Hiebert to approve the Consent Agenda as presented.

Councilmember Bob Wood asked if it would be possible to abolish the Downtown Business District Board since it has less functionality of the other boards and could the duties of this board be absorbed by other committees.

This will be reviewed at a future meeting.

Motion carried 4-0

REPORTS:

30. Monthly reports:

- a. City Administrator's Monthly Report – Veteran's Memorial Committee**
- b. City Secretary's Monthly Report**
- c. Director of Public Works' Monthly Report- Parks update**
- d. Accounting Coordinator's Monthly Report**
- e. East Parker County Library report**
- f. Parker County Sheriff's Office monthly report**

City Administrator Ken Pfeifer reported to the council that the Veterans Memorial Committee met with AEDC at their last meeting and will be bringing additional information back to the AEDC in October and then it will be on the Council Agenda in October.

Director of Public Works David Fain reported to the Council that the Pavilion in the Community Center Park will be delivered in 10-12 weeks. The Slab is being prepared and the dirt work is coming along. Looking at middle of November for completion.

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.)

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

31.) 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**

32.) 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

33. Any action necessary from Executive Session

ADJOURN

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

PASSED AND APPROVED THIS THE 22nd DAY OF OCTOBER 2015.

Kit Marshall, Mayor

ATTEST:

Deana McMullen, City Secretary