

**CITY OF ALEDO, TEXAS  
CITY COUNCIL MINUTES  
MEETING LOCATION: ALEDO COMMUNITY CENTER  
104 ROBINSON COURT  
ALEDO, TEXAS 76008  
THURSDAY, JANUARY 23, 2014  
7:00 P.M.**

**CALL TO ORDER**

The Aledo City Council met in regular session on Thursday, January 23, 2014, 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 Jean Bailey, Mayor Pro Tem Bill McLeRoy, Councilmember Kim Hiebert and Councilmember Kerby Smith. Councilmember Matt Casey was not present having given notice of his absence prior to the meeting.

Staff members present at the meeting were: City Administrator Ken Pfeifer, City Secretary Deana McMullen, Director of Public Works Gordon Smith, City Engineer Robert McGee and City Attorney Betsy Elam

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Kenton Harvey with Aledo Church of Christ gave the Invocation. Mayor Pro Tem Bill McLeRoy led the Pledge of Allegiance.

**PRESENTATIONS**

Proclamation recognizing Aledo Football Team for 5<sup>th</sup> State Championship Win

Mayor Kit Marshall brought to the City Council's attention the Proclamation recognizing the Aledo Football Team for their 5<sup>th</sup> State Championship Win. She presented this proclamation to them at their regular school board meeting on Monday, January 20, 2014.

**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.**

1) Bernard Suchocki – 1809 Ranch House Road - Introduced himself to the City Council and announced his candidacy for Justice of the Peace in Parker County

2) Pres McGee – 167 Sanchez Trail – Stated that he was the person who spearheaded the petitions to legalize alcohol sales for restaurants and retailers and asked that the Council please vote to allow this to be placed on the ballot in May 2014 for the people of the community to vote on.

### **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. December 19, 2013 Regular City Council Minutes**
- 2. December 2013 Monthly Financial report.**
- 3. Approval of Resolution No. 2014-20 calling a General Election for May 10, 2014**
- 4. Approval of Resolution No. 2014 -22 reviewing and approving the Investment Policy for the City of Aledo.**

Motion was made by Councilmember Kimberly Hiebert, seconded by Councilmember Jean Bailey to approve the consent agenda as presented.

Motion carried 4-0

### **ITEMS FOR DISCUSSION:**

#### **5. Discussion and action concerning utility bill of Ms Alice Bush at 123 Bluff View**

This item was discussed under Citizen Appearances at the last regular City Council meeting. Ms. Bush was asked to attend this meeting so that the City Council could discuss the issue.

Mayor Kit Marshall asked Director of Public Works Gordon Smith to give the City Council a report in chronological order in reference to the water bill at 123 Bluff View. Gordon Smith gave his report to the Council stating that the meter in question had been changed out from the address 123 Bluff View and had been tested. The test came back 98% – 99% accurate, meaning the meter was showing to be working properly. Because of the issue in question, Gordon Smith had the meter tested a second and a third time. Each time it was tested, the meter showed to be working properly. Mr. Smith stated that he offered an adjustment that was within the guidelines of the city ordinance leak policy. Ms. Bush did not agree to this.

Ms. Bush stated that she had complained to the Utility Department regarding her high utility bill and asked for the meter to be checked. The meter was tested and came back that it was correct. Ms. Bush asked the Council to consider reimbursing her 50% of her utility bill for each month since 2009.

Following discussion, motion was made by Mayor Pro Tem Bill McLeRoy, seconded by Councilmember Jean Bailey to authorize the Director of Public Works to settle the dispute with Ms. Alice Bush within the guidelines of the existing limits set by the policies and ordinance. There would be no cumulative year adjustment.

Motion carried 4-0

**Mayor Kit Marshall** introduced the 2<sup>nd</sup> new sheriff deputy providing Law Enforcement that was approved in the new budget, Mr. James Jackson. By having the 2<sup>nd</sup> deputy it provides coverage 7 days a week; 172 hours per 2 week shift.

Before the City Council considered items 6 & 7, Mayor Kit Marshall adjourned the meeting into Executive Session as allowed by section 551.071 of the Texas Government Code to seek advice on agenda items 6 & 7 from the City Attorney at 8:15 pm. This executive session was attended by Mayor Kit Marshall, Mayor Pro Tem Bill McLeRoy, Councilmember Jean Bailey, Councilmember Kerby Smith, Councilmember Kim Hiebert, City Attorney Betsy Elam, City Administrator Ken Pfeifer and City Secretary Deana McMullen.

Upon returning from Executive Session, Mayor Kit Marshall called the regular meeting back to order at 8:25 p.m.

Mayor Kit Marshall allowed Lynn Marie Johnson to speak at this time.

Ms. Lynn Marie Johnson addressed the Council and introduced herself and asked everyone to consider voting for her in the upcoming March 4, 2014 Primary Election as she was running for JP in Precinct 4. (No action was taken here)

**6. Discussion and action concerning certification to the City Council of the petition(s) for a Local Option Election to legalize the legal sale of mixed beverages in Restaurants with Food and Beverage Permit and the legal sale of Wine & Beer Retailer's off-premise consumption only**

Motion was made by Councilmember Kerby Smith, seconded by Councilmember Jean Bailey to accept the certification of the petition for the Local Option election presented by City Secretary Deana McMullen.

Motion carried 4-0

**7. Discussion and action concerning approval of Resolution number 2014 – 21 ordering a Special Election for Saturday, May 10, 2014 for a Local Option Election to legalize the legal**

**sale of mixed beverages in Restaurants with Food and Beverage Permit and the legal sale of Wine & Beer Retailer's off-premise consumption only**

Motion was made by Councilmember Jean Bailey, seconded by Councilmember Kerby Smith to approve Resolution number 2014-21 ordering a Special Election for Saturday May 10, 2014 for a Local Option Election to legalize the legal sale of mixed beverages in Restaurants with Food and Beverage Permit only and the legal sale of Wine & Beer Retailer's off-premise consumption only.

Motion carried 4-0

**REPORTS:**

**8. Monthly reports:**

- a. City Administrator's Monthly Report – FM 1187/Traffic Flow**
- b. City Secretary's Monthly Report – Chili Supper Event**
- c. Director of Public Works' Monthly Report-Aledo Trail Traffic Switch**
- d. Accounting Coordinator's Monthly Report**
- e. East Parker County Library report**
- f. Fire Marshal monthly report**
- g. Parker County Sheriff's Office monthly report – Introduction of Sheriff Deputy James Jackson**

Director of Public Works Gordon Smith informed the Council of the Aledo Trail Traffic Switch to take place the week of February 3<sup>rd</sup>. Once the switch is made and the railroad crossings are opened, the City will then be submitting the application for the Quiet Zone. The Businesses are being updated about the traffic switch.

**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**

**10.) 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**

**11.) 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**

**12. Any action necessary from Executive Session**

There was no action from the Executive Session.

**ADJOURN:**

There being no further items to discuss or consider Mayor Kit Marshall adjourned this regular meeting of the Aledo City Council at 8:45 p.m.

PASSED AND APPROVED THIS THE 27<sup>th</sup> DAY OF February 2014

  
\_\_\_\_\_  
Kit Marshall, Mayor

ATTEST:

  
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Deana McMullen, City Secretary