

**CITY OF ALEDO, TEXAS
CITY COUNCIL MINUTES
MEETING LOCATION: ALEDO COMMUNITY CENTER
104 ROBINSON COURT
ALEDO, TEXAS 76008
THURSDAY, MARCH 27, 2014
7:00 P.M.**

CALL TO ORDER

The Aledo City Council met in regular session on Thursday, March 27, 2014, at the Aledo Community Center, 104 Robinson Court, Aledo, TX 76008. Mayor Kit Marshall called the meeting to order at 7:06 p.m. with the following members present: Councilmember Jean Bailey, Mayor Pro Tem Bill McLeRoy, Councilmember Kim Hiebert, Councilmember Kerby Smith and Councilmember Matt Casey.

Staff members present at the meeting were: City Administrator Ken Pfeifer, City Secretary Deana McMullen, Accounting Coordinator Kari Kszyminski, City Engineer Robert McGee and City Attorney Betsy Elam

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation was given by Councilmember Kerby Smith. Mayor Pro Tem Bill McLeRoy 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.

There were no citizen appearances for this meeting.

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 27, 2014 Regular City Council Minutes**
- 2. February 2014 Monthly Financial report.**

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

Motion carried 5-0

ITEMS FOR DISCUSSION:

3. Discussion and action to approve the Annual Financial Audit and Single Audit for the period of October 1, 2012 to September 30, 2013

Mr. Mike Vail of Vail and Knauth gave a presentation on the Annual Financial Audit and the Single Audit for the period of October 1, 2012 thru September 30, 2013. Mr. Vail stated that there were no audit deficiencies and the City was doing very well. They require cities to have a reserve of 6 months and Aledo has a reserve of 18 months.

Mayor Kit Marshall gave kudos to the staff and the policy decisions made by the City Council. The reason Aledo is where it is today is because of the outstanding job being done by everyone.

Motion made by Mayor Pro Tem Bill McLeRoy, seconded by Councilmember Jean Bailey to approve the Annual Financial Audit and the Single Audit for the period of October 1, 2012 to September 30, 2013.

Motion carried 5-0

4. Discussion and approval of an Agreement with TXU for the Supply of Electricity

Mr. Dave Patrick with TXU gave a presentation to the City Council regarding the Rates for the City. Mr. Patrick explained that the rates were currently lower than the previous contract agreement and asked the City to consider approving a new contract with TXU for the Load Zone Pricing of \$0.05371 per kwh which would be a savings to the City of around \$3,600 per year. This would be for a period of 48 months.

Motion was made by Councilmember Jean Bailey, seconded by Councilmember Matt Casey to approve the recommendation Load Zone Pricing of \$0.05371 per Kwh for a period of 48 months.

Motion carried 5-0

5. Discussion and action concerning approval of a Ground and Water Tower Agreement with Aledo BroadBand for antenna and communication device space on the Elevated Storage Tank

Mr. Tim Foster of Aledo Broadband was present to address the Council regarding consideration of approval of a Ground and Water Tower agreement for antenna and communication device space on the Elevated Storage Tank. Mr. Foster stated that he had provided service for the past 12 ½ years through the Aledo Broadband to customers who do not like AT & T and for those who are too far out to receive service.

City Engineer Robert McGee has looked into the proposal and made recommendations regarding the spacing of the antennas on the roof handrail. The Elevated Storage Tank can accommodate

10-12 devices. However if Aledo Broadband leases space, there will be only 3feet 9 inches separation between the antennas rather than the 5 feet that is recommended.

There was also discussion regarding the lease amount for Aledo Broadband as well as the aesthetics of the EST.

Motion was made by Councilmember Matt Casey, seconded by Councilmember Kim Hiebert to reject the lease from Aledo Broadband as proposed.

Following additional discussion, it was determined that the proposed lease agreement has four issues: Aesthetics; Rates and revenue; limited space; and technology.

Motion carried 5-0

6. Discussion and action to approve a contract with Freese & Nichols for engineering services for the FY 2014 Street Rehabilitation Program

Each year the City rehabilitates the streets as part of the City's Street Program. In the FY 2014 Shary Street and Robert Street in the Lasater Addition and Shady Valley in Hidden Valley will have an asphalt overlay. Freese and Nichols has provided the engineering services for the Street Rehabilitation projects.

Motion was made by Councilmember Jean Bailey, seconded by Mayor Pro Tem Bill McLeRoy to approve the contract with Freese & Nichols for engineering services for the FY 2014 Street Rehabilitation Program.

Motion carried 5-0

7. Discussion and action to approve an Ordinance adopting the 2012 International Residential Code, 2012 International Building (Commercial) Code, 2012 International Gas Code, 2012 International Plumbing Code, 2012 International Mechanical Code, 2012 International Fire Code, 2012 International Energy Conservation Code, 2012 International Existing Building Code, 2012 Property Maintenance Code and 2011 National Electrical Code.

Fire Marshall Lyle Lombard and Building Inspector Jack Liford gave a presentation to the Mayor and City Council regarding the update of the City Codes. Lyle and Jack went over some of the differences in the updated codes compared to what is in place currently. By updating the codes it will help the City's ISO Rating as well as provide safety for the citizens.

Following discussion, motion was made by Councilmember Jean Bailey, seconded by Councilmember Kim Hiebert to approve the ordinance adopting the 2012 International Residential Code, 2012 International Building (Commercial) Code, 2012 International Gas Code, 2012 International Plumbing Code, 2012 International Mechanical Code, 2012 International Fire Code, 2012 International Energy Conservation Code, 2012 International Existing Building Code, 2012 Property Maintenance Code and 2011 National Electrical Code.

Motion carried 5-0

***Mayor Kit Marshall called for a short break at 9:51 p.m.

***Mayor Kit Marshall called the meeting back to order at 10:12 p.m.

8. Discussion and action to consider recommendation from Parks and Recreation Board of Park Pavilion Design for the parks

Parks and Recreation Board Director Jaysen Lamb was present to make a recommendation to the City Council of Park Pavilion Designs for all of the City Parks in accordance with the Parks Master Plan.

Mr. Lamb explained to the Council that each Parks and Recreation Board Member did research to determine what style of pavilion they would like to see in the Parks throughout Aledo. At the regular Parks and Recreation Board Meeting held on Monday March 10, 2014, the board unanimously picked choices one and two that were presented to the City Council. The Parks and Recreation Board felt that the pavilions should keep with the Heritage and Dynamic Future of Aledo and picked a Rustic Modern design that would be made with more of the Aledo Stone and a tin roof that was similar to the train depot design. For Choice two, it was more of a rectangular shape that was more closed in with arches and windows made out of Aledo Stone as well.

With more discussion regarding the topography, site-lines and the amphitheater proposed for the City Hall grounds, motion was made by Councilmember Jean Bailey, seconded by Councilmember Matt Casey to approve the proposed designs, to include the Aledo Stone, with a Standing seam metal roof and for the design to be more open as discussed.

Motion carried 5-0

9. Discussion and action concerning adding historic features to the design for the new Aledo City Hall

Chuck Freeman and Alan Huckaby of Freeman and Callahan Architects gave a presentation to the Mayor and City Council concerning adding historic features to the design of the new Aledo City Hall.

There was discussion following the presentation with a few more changes noted. There was no action on this item. It will come back before the City Council for final approval of the design at the regular council meeting on April 24, 2014.

REPORTS:

10. Monthly reports:

- a. City Administrator's Monthly Report – FM 1187/Traffic Flow/Aledo Trail update**
- b. City Secretary's Monthly Report**
- c. Director of Public Works' Monthly Report**

- 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**

City Administrator Ken Pfeifer stated that on FM 1187 South Bound Lanes TXDOT was working on the drainage and would be preparing for the concrete in the coming weeks with the concrete plant being in place within the next week. They should then start paving the turn lanes.

Aledo Trail is in Phase II and should be switching over to the outside lanes later in the month of April or first of May. Concrete should be poured by mid-April on Front Street. Right now the target date for completion of Aledo Trail is June or July and completion for FM1187 will be in September of 2014.

City Administrator Ken Pfeifer also addressed the council regarding a new Traffic Plan at McAnally School by reconfiguring the parent drop off and pickup areas to help with traffic on FM1187 and FM5.

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

11.) 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

12.) 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.

Mayor Kit Marshall adjourned the regular meeting of the Aledo City Council into Executive Session at 11:45 p.m. to discuss items under Texas Government Code, Sections 551.071 and 551.072. The following were present during the Executive Session; Mayor Kit Marshall, Mayor Pro Tem Bill McLeRoy, Councilmember Kerby Smith, Councilmember Jean Bailey, Councilmember Matt Casey, Councilmember Kimberly Hiebert, City Administrator Ken Pfeifer, City Secretary Deana McMullen and City Attorney Betsy Elam.

ADJOURN EXECUTIVE SESSION AND RECONVENE INTO OPEN SESSION

13. Any action necessary from Executive Session

Mayor Kit Marshall called the regular meeting back to order at 12:02 am. There was no action to take on any item discussed in 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 12:02 am

PASSED AND APPROVED THIS THE 27th DAY OF FEBRUARY 2014

Kit Marshall – Mayor

ATTEST:

Deana McMullen, City Secretary