

**CITY OF ALEDO, TEXAS
CITY COUNCIL MINUTES
MEETING LOCATION: ALEDO COMMUNITY CENTER
104 ROBINSON COURT
ALEDO, TEXAS 76008
THURSDAY, MAY 22, 2014
7:00 P.M.**

CALL TO ORDER

The Aledo City Council met in regular session on Thursday, May 22, 2014, at the Aledo Community Center, 104 Robinson Court, Aledo TX 76008. Mayor Kit Marshall called the meeting to order at 7:02 p.m. with the following members present: Councilmember Jean Bailey, Mayor Pro Tem Bill McLeRoy, Councilmember Kimberly Hiebert, Councilmember Matt Casey and Councilmember Kerby Smith.

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation was given by Kenton Harvey of Aledo Church of Christ. Mayor Pro Tem Bill McLeRoy led the Pledge of Allegiance.

OATH OF OFFICE

Mayor Kit Marshall will be sworn in and given the Oath of Office by City Secretary Deana McMullen. Mayor Kit Marshall will then swear in and give Oath of Office to Councilmember Place 2, Jean Bailey and Councilmember Place 4 Kimberly Hiebert, pursuant to Election Code Chapter 10-24

City Secretary Deana McMullen gave the oath of office to Mayor Kit Marshall. Mayor Kit Marshall then gave the Oath of Office to Councilmember Place 2, Jean Bailey and Councilmember Place 4 Kimberly Hiebert, pursuant to Election Code Chapter 10-24.

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. April 24, 2014 Regular City Council Minutes**
- 2. May 21, 2014 Special City Council Minutes**
- 3. April 2014 Monthly Financial report.**

Motion was made by Councilmember Matt Casey, seconded by Mayor Pro Tem Bill McLeRoy to approve the consent agenda as presented.

Motion carried 5-0.

ITEMS FOR DISCUSSION:

4. Update and discussion concerning the McAnally Intermediate School traffic improvements

Dr. Derek Citty and Tom Rutledge of Aledo ISD were present at this meeting to present the Parking Plan for McAnally School Traffic Flow and the safety of children loading and unloading. Widening the drive, constructing a 5' median and adding two lanes in and two lanes out were among this discussion. Mr. Rutledge stated that the TXDOT Permits were in hand for widening the driveway. Construction would start around June 9, 2014 and they have a 45 day contract. During the first few weeks of school they will have Police Officers present to assure the kids are able to cross effectively and safely. Dr. Citty stated that they will keep the City Council informed on this project as well as any additional projects.

No action was taken on this item.

Before moving to the next item, Mayor Kit Marshall took a moment to introduce the new Director of Public Works – David Fain to the Council and to the public. Mayor Marshall welcomed David to the City of Aledo.

5. Public Hearing – to receive input regarding request for a Re-plat for Lot 2R, Block 1 Fairview Addition, said tract being a 1.455 acre Re-Plat of Lot 2 & 3, Block 1 of the Fairview Addition in the City of Aledo, Parker County, Texas, according to the Plat as recorded in Plat Cabinet B, Slide 549, Plat Records, Parker County, Texas.

Mr. James Britton is the owner of the two lots in question and is requesting the two lots be re-platted to one lot so that they can build a new house in the center of the two lots. Tracy Tomlin will be the builder.

Mayor Kit Marshall opened the Public Hearing at 7:44 p.m. for anyone wanting to speak for or against this item

There being no one who wished to speak for or against this item, Mayor Kit Marshall closed the Public Hearing at 7:46 p.m.

6. Discussion and action concerning a request for a Re-plat for Lot 2R, Block 1 Fairview Addition, said tract being a 1.455 acre Re-Plat of Lot 2 & 3, Block 1 of the Fairview Addition in the City of Aledo, Parker County, Texas, according to the Plat as recorded in Plat Cabinet B, Slide 549, Plat Records, Parker County, Texas.

Planning and Zoning recommended approval as did City Staff. Any problem with Drain Easement will be addressed when building starts and will be put to the back of the lot.

Motion was made by Councilmember Kerby Smith, seconded by Councilmember Jean Bailey to approve a Re-plat for Lot 2R, Block 1 Fairview Addition, said tract being a 1.455 acre Re-Plat of Lot 2 & 3, Block 1 of the Fairview Addition in the City of Aledo, Parker County, Texas, according to the Plat as recorded in Plat Cabinet B, Slide 549, Plat Records, Parker County, Texas.

Motion carried 5-0.

7. Discussion and action concerning the partial demolition of the historic home located at Oak Street and FM 1187

A representative from the Church as well as the demolition company was present to address the City Council regarding the demolition of the historic home located at Oak Street and FM1187. They both admitted that there was a mistake made because they failed to come to the City for a permit to demolish the house. They stated they had several moving companies look at the house and was told by all of them that it was not moveable. It would fall apart once they tried to move it.

Mayor Kit Marshall and the City Council members expressed concern about why the process wasn't followed. The contractor did not take care of the permit. The said house is now a safety issue. The City knew nothing about the demolition. The penalty for this partial demolition is a double permit fine of \$500.00. A citation can also be given for the violation of failure to obtain a permit. The fine for this citation can be a maximum of \$500.

Mayor Pro Tem Bill McLeRoy recommended looking at the Ordinance a future meeting to consider assessing a larger fine for failure to obtain a demolition permit.

Motion was made by Councilmember Jean Bailey, seconded by Mayor Pro Tem Bill McLeRoy to approve a permit for the demolition of the historic home contingent upon the Code Officer

look at it first prior to issuing the permit, then issue the permit with a double fee amount and then issue a citation for failure to obtain the permit on the original date the demolition began.

Motion Carried 5-0.

8. Discussion and action concerning submitting a grant application under the Transportation Alternatives Program (TAP) to fund additional sidewalks

Chris Bosco with FNI presented the City Council with four options for a grant from NCTCOG to help fund additional sidewalks. This program started out as the Safe Routes to School Program, but is now being referred to as the TAP Program, (Transportation Alternatives Program). In the four proposals there are up to 28 miles of sidewalks that could be funded. The City must provide a 20% match amount and be able to up-front the funds for the sidewalk construction project. The project would be a 4 month project with bids being done in January and construction would start February or March of 2015.

Following discussion motion was made by Councilmember Kim Hiebert, seconded by Councilmember Jean Bailey to approve the Resolution for Option # 3-FM 5- Safe Route to McAnally Intermediate School at a total cost of \$404,000 with the City's 20% portion being \$80,800.00

Motion carried 5-0

9. Discussion and action concerning North Front Street improvements for business development purposes

Half of North Front Street was concreted as part of the Aledo Trail project. There were several options discussed regarding the finishing of the concrete as well as additional improvements include islands, lighting, ramps and steps. After hearing all of the options at the May Aledo Economic Development Board meeting, the board took action to recommend to the City Council to approve the proposed North Front Street improvements for business development purposes.

Motion made by Mayor Pro Tem Bill McLeRoy, seconded by Councilmember Matt Casey to approve North Front Street Improvements as recommended by the Aledo Economic Development Board for business development purposes.

Motion carried 5-0

10. Discussion and action concerning an amendment to Ordinance B-2010-02 Alcoholic Beverage Sales

Present were Constable Scott Jones and Dennie Carleton of the TABC to answer any questions regarding the recent approval of the propositions to sell Alcoholic Beverages in the City of Aledo.

Following the discussion motion was made by Councilmember Jean Bailey, seconded by Kerby Smith to approve the amendment to ordinance B-2010-028 Alcoholic Beverage Sales.

Motion carried 5-0.

11. Discussion and action concerning a request to relocate the painted or graffiti house

This item was placed on the Agenda to bring the Council's attention to the request to remove the historic graffiti house from the Church of Christ parking lot due to the people who are painting on the house are also painting on the parking lot as well as the rail fencing around the parking lot. The Church of Christ has spent their own money to redo the parking lot and to repaint the fencing however, the painting continues to occur.

City Council discussed options with awareness/education through the newspapers, putting up signs, or keeping white and black paint on hand to cover up the paint on parking lots and the fence.

No action was taken on this item.

12. Discussion and action concerning the requirements to establish the Aledo Heritage Foundation

At the AEDC meeting changing the name of the Aledo Heritage Foundation to Advance Aledo Fund was discussed with the reason being that Aledo Heritage Foundation is misunderstood and is not historical of any kind. The purpose of this Fund would be to serve as a financial entity to receive charitable grants and gifts for the benefit of the Aledo community as defined by the City of Aledo's corporate limits.

Motion was made by Mayor Pro Tem Bill McLeRoy, seconded by Councilmember Kerby Smith to approve the change of the name from Aledo Heritage Foundation to the Advance Aledo Fund.

Motion Carried 5-0.

13. Discussion and action concerning appointment of Mayor Pro Tem pursuant to Local Government Code 22.037

Motion made by Councilmember Jean Bailey, seconded by Councilmember Kerby Smith to appoint Bill McLeRoy as the Mayor Pro Tem pursuant to Local Government Code 22.037.
Motion carried 5-0.

REPORTS:

14. Monthly reports:

- a. City Administrator's Monthly Report – FM 1187/Traffic Flow/Aledo Trail update**
- b. City Secretary's Monthly Report – First Friday Event(s)**
- 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 gave an update to the Council on FM 1187 Traffic Flow/ Aledo Trail. City Engineer Robert McGee stated Aledo Trail Phase 3 May 16th Outside Lanes. Front Street is open. Elm and Oak will open soon. They will be starting the decorative lighting. Mid July is the target for the completion date. FM 1187 Southbound Lanes, Driveways, Street Connections are being worked on and rebar will be going in next week. Kwik Kar will have half of their driveway entrance open at a time to accommodate customers. The barricades on the south side of the tracks will be moving the week of the 9th. The target date for completion of FM1187 is still September 2014.

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.)

Councilmember Matt Casey discussed and issue regarding light pollution in residential areas. He made a request to the Council to consider adopting an ordinance pertaining to light pollution at a future meeting.

Mayor Kit Marshall called for a short break at 10:40 p.m.
Mayor Kit Marshall called the meeting back to order at 11:06 p.m.

Mayor Kit Marshall then adjourned the regular session into Executive Session at 11:06 p.m. This session was attended by Mayor Kit Marshall, Mayor Pro Tem Bill McLeRoy, Councilmember Kerby Smith, Councilmember Jean Bailey, Councilmember Matt Casey, Councilmember Kimberly Hiebert, City Attorney Drew Larkin, City Administrator Ken Pfeifer and City Secretary Deana McMullen.

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

15.) 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**
- 16.) **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 this Executive Session at 11:34 p.m. and called the regular session back to order.

ADJOURN EXECUTIVE SESSION AND RECONVENE INTO OPEN SESSION

17. Any action necessary from Executive Session

There was no action taken from 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 11:34 p.m.

PASSED AND APPROVED ON THIS ____ DAY OF _____ 2014.

Kit Marshall, Mayor

ATTEST:

Deana McMullen, City Secretary