



Town Council

Monday, October 21, 2024 at 6:00 PM
First Baptist Church Ponder - 101 S Hwy 156, Ponder, TX - Youth building

MINUTES

CALL TO ORDER

Mayor Bassler called the meeting to order at 6:00 pm.

ROLL CALL

Those present were:

Council Member Ginger Deussen
Council Member Nick McGregor
Council Member Lael McWilliams
Mayor John Bassler
Mayor Pro-Tem John Estes

Council Member Culpepper was present beginning at Item 3.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bassler led both.

OPEN FORUM FOR CITIZEN INPUT (Please limit to 5 minutes per person and if you wish to speak on a particular agenda item, please list the agenda item next to your name.)

Charles Williams, Codi Delcambre, Mike Forman, Tara Higgins and Cort Higgins signed up to speak and all requested to wait and speak during Item 4.

CONSENT AGENDA

1. **Approval of the August 12, 2024, September 9, 2024 & September 30, 2024, Town Council minutes.**
2. **Acceptance of the September 2024 Financial Statement.**

Motion to approve the consent agenda was made by Mayor Pro-Tem Estes, Seconded by Council Member McGregor.

Voting Yea: Council Member Deussen, Council Member McGregor, Council Member McWilliams, Mayor Pro-Tem Estes

Motion passed with 4 yeas, 0 nays and 0 abstentions.

ORAL STAFF REPORTS

Kelly Goudeau reported that the library had several patrons last month. She also reported that a nice young boy gave the library a really nice compliment.

Scott Caster reported that the new PD vehicles are in process of being ordered and that the drug take back program will begin soon at library.

Gary Morris reported that Swafford Rd project is waiting on final walk through, El Rancho project is the same. Town Engineers are ready to start up Shaffner and 156 project. Elevated and ground storage and pump house will go out to bid in the next 2 to 3 weeks. He also reported that it is very dry and having some issues making sure enough water is in the tanks. Had to pull a well last week. Dry weather is causing leaks around the system. Citizens have been asking about the roads. Starting talks about the street projects around town.

PVFD - 57 total calls, 33 County 24 in Town. Budget planning under way implementing stipend plan in this budget. Football games every week. One member enrolled in EMT and one in paramedic. 45 years Charlie Williams and 25 years John Williams. The PVFD has two in fire officer training. Working on a strategic plan for growth and community meetings

Sheri Clearman reported that the Secretary's office has been working on the library renovation and working to close out FY2023-24 and get ready for the annual audit.

ITEMS OF BUSINESS

3. Appoint Mark Culpepper to serve as Council Member in the Place 3 vacant seat.

Motion to appoint Mark Culpepper to Council Seat 3 was made by Council Member McGregor, Seconded by Mayor Pro-Tem Estes.

Voting Yea: Council Member Deussen, Council Member McGregor, Council Member McWilliams, Mayor Pro-Tem Estes

Motion passed with 4 yeas, 0 nays and 0 abstentions.

4. Presentation by the Fire Marshal's office.

Diane Edmonson spoke and thanked everyone for being here to hear the presentation. Stated she is about to build the road west of the high school. She reported that the county has decided to come up with a fire protection plan. She told a story that a woman came to commissioner's court and who lives on the east side of the county, and right around the corner from the fire station. She said that her husband had chest pains and called 911 and by the time the ambulance arrived he was dead. The closest station did not respond. Commissioner Edmonson said that she could not stand for this, so she asked that it was investigated and found that the development that this woman lived in had an agreement with another fire station. The Fire Marshal began to develop a plan to use taxpayer funds to create fire protection equal to those in the cities. She believes that they have built a plan that will help all residents of the Denton County.

Brad Sebastian thanked the Council for the opportunity to present the new plan. He reiterated what Commissioner Edmonson stated, and added that the woman in the Commissioner's story lived in a MUD and they were contracted with a fire station farther away than the one around the corner. This plan should ensure that the closest unit responds to emergencies. Sheldon Gilbert has 40 years in the Fire/EMS service. He is also a full time employee of the county. They have been continuing to work for months on this plan to make it work for everyone. As of today, they have presented to everyone in the County except Roanoke and will be meeting with them soon.

Sheldon Gilbert presented the Fire and EMS Services Master Plan to the Council. This presentation is attached to the minutes.

State representative Richard Hayes spoke about ETJ. He reported that the ETJ is established by state law. The boundaries are set by state law 1/2 mile for towns size of Ponder.

Mayor Bassler stated that the deannexation of ETJ is causing us to lose our CCN and told Representative Hayes that this has been a problem.

Representative Hayes encouraged Mayor to get with him about all things concerning deannexation that have affected Ponder negatively. Government regulates for the minority, and try to eventually balance that out. He stated that the goal of the Denton county plan is to improve response time.

Council Member McGregor asked what town focus should be.

Representative Hayes said that Town's should stay in their lane. Find your Town's purpose and that should be the focus.

Charles Williams - 45 years on dept, reported that a great number of changes that need to be made across the County. He hears about all the protection, but everything is 5 to 20 years out, but for Ponder to get an EMS service they have to have a fully staffed department today and don't get the option to build up to a full staff. Ponder was with Denton until they were too busy and contracted with Krum. Denton County will not let Ponder do EMS because it seems that they want Krum to have it. We still have the same number of Deputies as we did years ago and it makes more sense and they PVFD worked with the County to get contracts with the MUDs and place strategic departments. He wants to know the legislative rule is on creating a fire department. Charlie stated that this is not California, it is Texas and that he hears that the County is trying to make things better but sees different.

Codi Delcambre - TML Region 8 Secretary She reported to the Council that this is a legislative year, they have a meeting every quarter. She asked them if they know what Denton County Days were. Sunday or Monday they go around and speak to the legislators. Small cities are regulated to death. Mayor and Council need to use their voices because they will be heard. She also stated that he staff can't do that, and they have to. She has two pages of questions but understands that they can't answer them. Ms.

Delcambre reported that the east side was a free for all and the MUDS were able to contract with whoever they wanted. She commented on ESD 1 - Town does not have the resources to sustain a fire department, they have no sales tax revenue. She said that the County needs to work with the volunteer department to make this work as the Town can't afford to start a fire department. She also added that the ESD has the largest HUD rate on the east side also.

Commissioner Edmonson asked how she could help.

Ms. Delcambre stated that she wants them to sit down and speak to the fire department about how they can help them.

Tara Higgins a resident of Holiday Ln. in unincorporated Denton County, reported that she moved to that location on purpose and that she knew that she had the PVFD for fire prevention and has no problem with that. She believes that Denton County response time would be too long. She would like to know where this plan leaves everyone on the west side of the County.

Cort Higgins, a resident of Holiday Ln. in unincorporated Denton County, reported that he is a retired fireman. He would like to know where all of the Denton County research came from. He said that no one on the west side of the County was contacted during this study. He also stated that you can't compare the east and west sides because the west side does not have the tax base to support such a plan or a Fire Department.

Nick McGregor told Representative Hayes that the issue that started this plan was a contract with a MUD. He would like to see attention to this.

James Longbrake reported that when he took over, he saw some challenges and has known that this was coming for years. Knowing these challenges, the PVFD came to the Town for more funding. He is ready to work together with the Town and Denton County. He stated that he believes too many people were left out of the planning process but supports the closest truck responding. PVFD feels pushed aside but hopes to work collectively with all.

5. Consider and act on approval of the Betty Foster Public Library FY2024-25 Budget.

Motion to approve was made by Mayor Pro-Tem Estes, Seconded by Council Member Deussen.

Voting Yea: Council Member Deussen, Council Member Culpepper, Council Member McGregor, Council Member McWilliams, Mayor Pro-Tem Estes

Motion passed with 5 yeas, 0 nays and 0 abstentions.

6. Consider and act on approval of an agreement between the Betty Foster Public Library and Denton County.

Motion to approve was made by Mayor Pro-Tem Estes, Seconded by Council Member Deussen.

Voting Yea: Council Member Deussen, Council Member McGregor, Council Member Culpepper, Council Member McWilliams, Mayor Pro-Tem Estes

Motion passed with 5 yeas, 0 nays and 0 abstentions.

7. Consider and act on approval of Ordinance 24-22, amending utility-related fees.

Council Member Culpepper would like to look at a new sewer rate ordinance and also wants to know how people know that they have EYEONWATER.

Council Member McGregor would like to know what we have built into this ordinance to make sure we don't have to come back for another increase. He also stated that we are taking water customer's money and earning interest on it and he would rather the customers keep their money.

Council Member Culpepper moved to approve given that we look at them more to amend sewer rates. Seconded by Council Member Deussen.

Voting Yea: Council Member Deussen, Council Member McGregor, Council Member Culpepper, Council Member McWilliams, Mayor Pro-Tem Estes

Motion passed with 5 yeas, 0 nays and 0 abstentions.

8. Consider and act on approval of Ordinance 24-23, amending the Subdivision ordinance and adding a section for Intersecting Streets.

Motion to table until the November Council Meeting was made by Mayor Pro-Tem Estes, Seconded by Council Member McGregor.

Voting Yea: Council Member Deussen, Council Member McGregor, Council Member Culpepper, Council Member McWilliams, Mayor Pro-Tem Estes

Motion passed with 5 yeas, 0 nays and 0 abstentions.

9. Pursuant to Section 551.071 of the Government Code, the Mayor and Council will convene in Executive Session to receive confidential legal advice from the Town Attorney regarding the Subdivision Ordinance, Utilities and Upper Trinity Regional Water District relative to Municipal Utility Districts.

Pursuant to Section 551.071 of the Government Code, the Council convened into executive session at 7:51 pm.

Regular session reconvened at 8:38 with no action taken.

10. Consider and act on approval of a Developer's Agreement between the Town of Ponder and Cornerstone Construction and Remodel.

Motion to approve was made by Council Member McGregor, Seconded by Mayor Pro-Tem Estes.

Voting Yea: Council Member Deussen, Council Member McGregor, Council Member Culpepper, Council Member McWilliams, Mayor Pro-Tem Estes

Motion passed with 5 yeas, 0 nays and 0 abstentions.

11. Consider and act on approval of a Final Plat for Kali Meadows Phase 1.

Motion to approve the Kali Meadows PH 1 Preliminary Plat with Engineer's recommendations was made by Mayor Pro-Tem Estes, Seconded by Council Member McGregor.

Voting Yea: Council Member Deussen, Council Member McGregor, Council Member Culpepper, Council Member McWilliams, Mayor Pro-Tem Estes

Motion passed with 5 yeas, 0 nays and 0 abstentions.

12. Consider and act on approval of a final plat for Kali Meadows, Phase 2.

Motion to approve the Kali Meadows PH 2 preliminary plat with Engineer's recommendations was made by Mayor Pro-Tem Estes, Seconded by Council Member Deussen.

Voting Yea: Council Member Deussen, Council Member McGregor, Council Member Culpepper, Council Member McWilliams, Mayor Pro-Tem Estes

Motion passed with 5 yeas, 0 nays and 0 abstentions.

13. Consider and act on approval of a preliminary plat for Gustafson Acres.

Motion to approve the Gustafson preliminary plat was made by Council Member McGregor, Seconded by Mayor Pro-Tem Estes. Secondary motion to amend, stating to approve contingent upon the following errors be corrected. Secondary motion seconded by Council Member Estes.

Errors: Correct County from Wise to Denton; correct statement that the home will need water; correct north and south error in description.

Voting Yea: Council Member Deussen, Council Member McGregor, Council Member Culpepper, Council Member McWilliams, Mayor Pro-Tem Estes

Motion passed with 5 yeas, 0 nays and 0 abstentions.

14. Consider and act on approval of a Preliminary Plat for Rockwood MUD.

Motion to approve the Rockwood preliminary plat with Engineer's recommendations was made by Mayor Pro-Tem Estes, Seconded by Council Member Deussen.

Voting Yea: Council Member Deussen, Council Member McGregor, Council Member Culpepper, Council Member McWilliams, Mayor Pro-Tem Estes

Motion passed with 5 yeas, 0 nays and 0 abstentions.

15. Discussion, consideration and possible action regarding adding an additional 0.250 percent sales tax to the Town of Ponder sales tax rate.

Motion to call for an election on the May election date to increase the sales tax rate by 0.25 percent to be used for Property Tax reduction was made by Council Member Deussen, Seconded by Mayor Pro-Tem Estes.

Voting Yea: Council Member Deussen, Council Member McGregor, Council Member Culpepper, Council Member McWilliams, Mayor Pro-Tem Estes

Motion passed with 5 yeas, 0 nays and 0 abstentions.

ITEMS FOR THE NEXT AGENDA

intersecting street ordinance

well #4 bid

Wastewater billing

ADJOURN

Motion to adjourn at 8:48 was made by Council Member Deussen, Seconded by Mayor Pro-Tem Estes.

Voting Yea: Council Member Deussen, Council Member McGregor, Council Member Culpepper, Council Member McWilliams, Mayor Pro-Tem Estes

Motion passed with 5 yeas, 0 nays and 0 abstentions.

APPROVED:

DATE:

John Bassler, Mayor

ATTEST:

Sheri Clearman, Town Secretary