



# Town Council Meeting

Monday, March 13, 2023 at 6:00 PM  
102 W. Bailey Street, Ponder, TX 76259

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## MINUTES

### REGULAR SESSION AGENDA

#### CALL TO ORDER

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

#### ROLL CALL

Those present were Council Member Lynch, Council Member Deussen, Mayor Pro-Tem McGregor, Council Member Couch and Council Member McWilliams.

#### INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Poole 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).**

***This is a time for the public to address the Town Council on any subject. However, the Texas Open Meetings Act prohibits the Town Council from discussing issues which the public has not been given seventy-two (72) hours' notice. Issues raised may be referred to Town Staff for research and possible future action.***

Dr. Jeremy Thompson with he PISD gave an update on the new school construction project. He reported that they are within one year of it being completed. Dr. Thompson addressed the Council regarding the original MO that was signed during the previous school construction project. He said that there are two projects offsite, one being a sewer line and the other being north south roadway and that they engineer work and cost estimates are complete but that formal action is now necessary since costs continue to increase. The sewer line will take approximately four months to complete. He also offered a walk through for anyone on the staff or Council who would like to see the facility. Concerning the north south roadway, he reported that we are waiting on an interlocal agreement to be signed. He urged the need to move on and is asking for help from the Town locating where the road is to be located and the need for communication with the Council Commissioner regarding this project.

Sue Partiridge, a resident of Ponder asked how she could get an update on the sewer line and is concerned about emissions and smells.

Amber Castillo, a resident, and business owner of Ponder spoke regarding Open Infra. She reported that Open Infra hit her sewer line at the daycare that she owns and operates. She has had it repaired,

but the company will not return her calls and has suggested to her that the Town is responsible. Ms. Castillo has spent between \$50k-\$60k in repairs thus far. She would like to see the Council or Mayor shut Open Infra down until they agree to communicate with her. She also stated that she needs for Open Infra to be responsible for the damage they caused. Ms. Castillo asked if the Town would pull the Open Infra permit. Mayor Poole advised Ms. Castillo to call him, and he would assist her.

## **CONSENT AGENDA**

- 1. Approval of Resolution 23-02, Authorizing continued participation with the Atmos Cities Steering Committee and authorizing payment for such.**
- 2. Approval of the February 13, 2023 Town Council Minutes.**
- 3. Approval of the February 2023 Financial Statement.**

Mayor Pro-Tem McGregor moved to approve the Consent agenda. Motion seconded by Council Member Lynch. Ayes: Mayor Pro-Tem McGregor, Council Member Lynch, Council Member Deussen, Council Member Couch and Council Member McWilliams. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

## **ORAL STAFF REPORTS**

Chief Caster reported that Lexipol Tier 3 is almost complete

Public Works Director, Gary Morris reported that the BNSF water crossing was delayed, but will begin soon.

Library Director, Alexandria Mills reported that all Council reporting had been completed in order to be in compliance and receive County funding. She also reported that the one-year anniversary of the library re-opening is approaching.

Asst. Fire Chief Economedes reported that the year started off slow. He stated that Commissioner's Court would be addressing the ESD on June 26, 2023, at the Commissioner's Court meeting and asked that all come in support.

Mayor Poole reported that he submitted an interlocal agreement to the Commissioner Edmonson who said that it was cut and paste, although, it was formed from a previous interlocal agreement between the County and Town. He also reported that the TCEQ and TCCI meeting was this past week. He thanked everyone for attending. He stated that despite policy that supports regionalization, TCEQ has ignored that. Mayor Poole showed a map of our Wastewater Treatment Plant and showed that the proposed treatment plant from TCCI is within two miles of our current plant and stated that there is another one proposed just to the south. Mayor Poole reported that we have two attorneys working on this with us. He also added that Ponder has already funded the purchase of land to expand our current plant. Mayor Poole stated that the Council increased the minimum lot size to half acre several years ago and this developer is using MUDs to line his own pockets. MUDS will affect, traffic, infrastructure, schools, and TCEQ most generally rubber stamps these, but we are fighting this. Mayor Poole also reported on his meeting with BNSF. BNSF has proposed two tracks from 380 to Justin with the siding to the

North of Ponder. He reported that he should have Ponder's cost participation within a month or so.

## ITEMS OF BUSINESS

### 4. **Review and acceptance of the Town of Ponder 2022 Annual Financial Audit.**

Carl Deaton, with Hankins, Eastup, Deaton, Tonn and Shay went over the Town's annual financial audit and welcomed questions from the Council.

Mayor Pro-Tem McGregor moved to accept the 2022 Annual Financial Audit. Motion seconded by Council Member Deussen. Ayes: Mayor Pro-Tem McGregor, Council Member Lynch, Council Member Deussen, Council Member Couch and Council Member McWilliams. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

### 5. **Discussion and direction from Council regarding Mobile Food Businesses in the Town of Ponder.**

Jared Thomas, a mobile food truck owner in Ponder said that he was intrigued about ideas for food trucks in Town. He is a food truck but wants a building to open a restaurant. He is upset that he sees buildings boarded up in Town. Mr. Thomas suggested that the Town improve their infrastructure to accommodate mobile food vendors who want to open restaurants.

Delanie Darnell, owner of a mobile food business in Ponder for five years reported that she is the longest running food truck in Ponder. She complained that there is no infrastructure to accommodate her opening a brick and mortar. She also commented on the lack of commercial property in Town and stated that the Town looks like crap. She is in favor of a food truck park across from Bev's and said that there are approximately five acres there. Ms. Darnell stated that food trucks are not doing harm to anyone and most of their business is from out of Town. She would like for the truck park to be called the Trailer Park.

Seth Luther, resident of Ponder addressed the Council to say that there is a lot of opportunity for people to come Ponder. He suggested a strip center and stated that we need more tax dollars. Mr. Luther said that the Council should wait to approve any ordinances until the new Mayor and new Council Member get elected.

Amanda Haywood, resident of Ponder is a future food truck owner and stated that it is her dream to have a food establishment. She is in favor of a central location for mobile food trucks and would love for her future food truck to stay in Ponder.

Council Member Couch said that she loves food trucks, and a variety would be good.

Mayor Pro-Tem McGregor stated that a food park is needed, and it would be a good place to gather and grow businesses with that desire. He asked the Town Secretary to reach out to Denton County EDC for funding also.

Council Member Lynch stated that the 156 and January location would be a possible

location also.

Council Member McWilliams stated that he is in favor of a food truck park.

Mayor Poole suggested a long-term lease at Mr. Brook's property across from Bev's and that EDC's main way of helping is to assist with infrastructure.

**ITEMS FOR NEXT AGENDA**

**ADJOURN**

Council Member Couch moved to adjourn at 7:21 pm. Motion seconded by Council Member Lynch. Ayes: Mayor Pro-Tem McGregor, Council Member Lynch, Council Member Deussen, Council Member Couch and Council Member McWilliams. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

**APPROVED:**

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Matthew Poole, Mayor

**ATTEST:**

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Sheri Clearman, Town Secretary