



Town Council

Monday, January 08, 2024 at 6:00 PM
102 W. Bailey Street, Ponder, TX 76259

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 Brandy Couch

Mayor Pro-Tem Nick McGregor

Council Member Lael McWilliams

Mayor John Bassler

Council Member John Estes

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.)

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.

CONSENT AGENDA

- 1. Approval of the September 7, 2023, and December 11, 2023, Minutes.**
- 2. Approval of the December 2023 Financial Statement.**

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

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

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

ORAL STAFF REPORTS

James Longbrake reported that in December the PVFD ran on 58 calls (see report) with 12 being in Town. In 2023 630 total runs 131 in Town, with two lost people. Charlie Williams was honored with Chief Ameritus and retained his call number.

Kelly Goudeau - New assistant Amy Rogers was introduced. The library has a book drop. She also had a volunteer do the vinyl with her cricut for it. Ashley and Jason came by on Saturday and brought a new door mat. Knee deep in inventory. February events - situational awareness class by Sam Schiller and Betty Keim. Book sale next weekend.

Scott Caster stated that there is not anything new to report. Curt Watkins will be at the next council meeting. He is working out really well. Ticket count continues to increase.

ITEMS OF BUSINESS

3. Approval of an agreement with the Ponder Fire Department to provide fire protection services to the Town of Ponder.

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

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

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

4. Consider and act on approval of Resolution 24-01, releasing certain property from the Extraterritorial Jurisdiction of the Town of Ponder.

Motion to approved Resolution 24-01 was made by Mayor Pro-Tem McGregor, Seconded by Council Member McWilliams.

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

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

5. Consider and act on approval of Resolution 24-02, a contract to finance Public Works vehicles.

Mayor Pro-Tem McGregor moved to discuss. Motion seconded by Council Member Estes. Voting Yea: Council Member Deussen, Council Member Couch, Mayor Pro-Tem McGregor, Council Member McWilliams, Council Member Estes

Gary Morris stated that public works currently has 3 vehicles that they use and the newest is 13 years old and the others are 2009 and 2004 models. Gary has spent money on repairs to keep the old vehicles in the fleet but is needing two more vehicles. Found two good vehicles and one is four-wheel drive. We need at least one to be FWD. He would like to purchase these in addition to the vehicles that we have.

Motion to approve Resolution 24-02 was made by Mayor Pro-Tem McGregor, Seconded by Council Member Deussen.

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

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

6. Consider and act on approval of a proposal for Sanitary Sewer smoke testing.

Gary Morris stated that the State sees it that if we are doing this testing that we are making efforts to correct any deficiencies. The requested company will put flyers on all of the door and do the testing and make a report, we will then make contact with all of the customers that have corrections to make. It is expensive, but something that we need to do to show the state that we are trying to improve. This will not be completed until late spring.

Mayor Pro-Tem McGregor asked what Gary anticipated finding. Gary Morris replied that potentially they will find any cracks in lines or cleanouts.

Mayor Pro-Tem McGregor asked how it will be paid for. Gary Morris replied that it would be paid for out of Water Sewer Reserves.

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

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

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

7. Discussion and possible action regarding the Lady VIP storage building located in the park.

Linda Wilson stated that with all the hard work that the Lady VIP have put into the park and the schoolhouse and the bank that she wanted to see that they are taken care of.

8. Public hearing to hear public comment concerning the issuance of a specific use permit for the proposed temporary parking lot at 103 E Bailey St.

Motion to open the Public Hearing was made by Council Member Estes, Seconded by Mayor Pro-Tem McGregor.

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

No one spoke.

Motion to close the Public Hearing was made by Council Member Estes, Seconded by Council Member Deussen.

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

9. Public hearing to hear public comment concerning the zoning change from SF-2 to M-1. This property is located at 104 E. Bailey Street.

Motion to open the Public Hearing was made by Mayor Pro-Tem McGregor, Seconded by Council Member Estes.

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

No one spoke.

Motion made by Council Member Couch, Seconded by Council Member Estes.

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

10. Consider and Act on approval of Ordinance 24-03, rezoning 104 E. Bailey from SF-2 to M-1.

Mayor Pro-Tem McGregor moved to discuss. Motion seconded by Council Member McGregor.

Becca Zielinski reported that this item passed 4-0 at P&Z. and that all notices were issued with no response.

Shannon Chapman, the current owner stated that when it was a welding shop it was residential zoning.

Mayor Pro-Tem McGregor asked what it will look like. Ms. Chapman stated that there will be new paint, a fence and concrete parking.

Mayor Pro-Tem McGregor asked what the monument would look like and would like to have a visual to help with his due diligence. Ms. Chapman replied that the business would

not go that far to the east. Mr. Lorentz stated that their shop will look similar to their Denton and Lewisville locations.

Council Member McWilliams said that he is happy to have them in Ponder. Mrs. Lorentz said that he lives behind the Ponderosa. Gary Morris reported that public works is planning on doing the James Street project soon and so they had it surveyed and saw that access going out the north end may not be as much as owner originally thought.

Motion to approve Ordinance 24-03 made by Mayor Pro-Tem McGregor, Seconded by Council Member Couch.

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

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

11. Consider and Act on approval of Specific Use Permit for Roadies.

Becca Zielinski reported that is SUP has a 1-year term and is not transferable and includes curb stops.

Motion to approve the SUP made by Mayor Pro-Tem McGregor, Seconded by Council Member Deussen. Mayor Pro-Tem McGregor amended his motion to include Planning & Zoning recommendations of a 1-year term and curb stops, Seconded by Council Member McWilliams.

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

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

12. Consider and act on approval of a Development Agreement between the Town of Ponder and Clairmont Rockwood, LLC.

Mark Allen asked if there was anything the Town Council needed for him to present. Rockwood is his development (he showed the land plan) Asked for any questions.

Handful of changes since we met in December.

Roman Boitzsof - agreement that the staff has been working on. We are at a point that they have gotten to where everyone is getting okay with the agreement. He stated that there were more items that needed to be added to the agreement. Towns primary concerns: ability for the Town to be in charge of certain inspections for public infrastructure. Town engineer oversees construction and Gary Morris will do as much as possible also. Mark is proposing that a third party is to be utilized. Mark Allen stated that the agreement says a third party agreed to by both parties. The intent of this change was that Belcheff has other things that they are working on for the Town and Gary Morris is

busy also and they will not have time to stand on that site all day everyday watching line be put in the ground so the idea is to hire a third party to do inspections.

Roman Boitzsof wants Public Works to feel comfortable if the Town is to take this over some day. He is asking that a third party be used with the town able to work with them also. Mark Allen spoke with Mike Anderson at Belcheff about this.

Thomas stated that because they are a utility district they have to submit information to TCEQ. They also do inspection reports and take pictures as they do the work and at the end of the project TCEQ will drive out and walk the project to make sure that all of the improvements visible were constructed to plan and design. They will test the roads also. Mark Allen said that the idea is a third party can dedicate the time to it.

Mark Allen and Roman Boitzsof had a conversation about the agreement stating that the development will abide by the Town of Ponder subdivision regulations, and the preliminary plat and finals go before Town Council.

Mayor Pro-Tem McGregor moved to approve the agreement that was emailed to Council on today's date, contingent upon the approval of the Town Attorney, Seconded by Council Member Couch.

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

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

13. Consider and act on approval for the EDC to purchase and electronic sign to be placed at the corner of James Street and SH156 in the park. The EDC approved this purchase at their regular meeting on December 19, 2023 and respectfully ask that the Council approve this purchase.

Motion to discuss made by Mayor Pro-Tem McGregor, Seconded by Council Member Couch.

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

Members briefly discussed the location of the sign and the type of sign.

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

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

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

- 14. Consider and act on approval of 1.250 acre land purchase from TALCORP II in the amount of \$75,000.**

Motion to approve the land purchase was made by Mayor Pro-Tem McGregor, Seconded by Council Member McWilliams.

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

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

ITEMS FOR THE NEXT AGENDA

ADJOURN

Motion to adjourn at 8:00 pm made by Council Member Deussen, Seconded by Council Member Couch.

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

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

APPROVED:

John Bassler, Mayor

Date

ATTEST:

Sheri Clearman, Town Secretary