



**City of Willow Park
City Council
Regular Meeting
City Hall
516 Ranch House Road, Willow Park, TX 76087
Tuesday, July 11, 2017 at 7:00 p.m.
Amended Minutes**

Section I – Presentations

1. Call to Order

Mayor Moss called the meeting to order at 7:01 p.m.

2. Determination of Quorum

Mayor Doyle Moss
Councilmember Norman Hogue
Councilmember Amy Fennell
Councilmember Greg Runnebaum
Councilmember John Gholson
Councilmember Marcy Galle

Staff Present:
City Administrator Scott Wall
City Secretary Kandice Garrett

3. Invocation & Pledge of Allegiance

Mayor Moss started the meeting with the invocation led by Father Jay Atwood, St. Francis of Assisi Episcopal Church. Corporal Sam Minnich led in the Pledge of Allegiance.

4. Citizen Presentations & Public Comments

***None.

Section II – Minutes

5. Approve and Act on Minutes

A. Approve City Council Regular Meeting Minutes – June 13, 2017

***Councilmember Runnebaum made a motion to approve the City Council Regular Meeting Minutes.

Seconded by Councilmember Galle

Aye votes: Councilmembers Hogue, Fennell, Runnebaum, Gholson, Galle
Motion passed with a vote of 5-0

Section III – General Items

6. Discussion/Action: To discuss and consider Zoning Change request to rezone 1.14 acres being a portion of Block 10, El Chico Addition, an addition of the City of Willow Park, Parker County, Texas, from “R-1” Single Family District to “R-1/S” Single Family District with Sewer, located on the northeast corner of Stagecoach Trail and Pitchfork Trail.

A. Open Public Hearing at 7:05 p.m.

***James McKinney, 410 Pitchfork Trail, addressed council as being against the Zoning Change.
***Vicki Sears, 315 Chuckwagon Trail, addressed council as being against the Zoning Change.
***Chad Sears, 315 Chuckwagon Trail, addressed council as being against the Zoning Change.
***Britt Phillips, 306 Creekview Ct., addressed council as being for the Zoning Change.
***Zach Pettigrew, 311 Bay Hill Ct., addressed council as being for the Zoning Change.
***Gary Skaggs, 150 Stagecoach Trail, addressed council as being against the Zoning Change.
***Gene Martin, 700 Kings Gate Rd., addressed council regarding some history of the R-1 Zoning.

A. Close Public Hearing at 7:27 p.m.

***Councilmember Runnebaum made a motion to approve the Zoning Change.

Seconded by Councilmember Hogue

***Councilmember Runnebaum inquired if whether the Developer and the City went through the correct processes.
***Scott Wall, City Administrator, revealed the Developer did go through the correct processes, but the City made a mistake by not verifying the zoning when the minor plat was reviewed. The City has developed measures to avoid this mistake in the future. Further discussion stated these lots are very close to legal size.
***Councilmember Fennell brought up the issue of the Planning & Zoning’s decision and spot zoning.
***Mayor Moss brought up the challenges we have ahead with growth requires rooftops and we need to be looking ahead.
***Councilmember Galle remarked the City did not make a deal, but rather a mistake as noted by Betty Chew. She also mentioned the Comprehensive Plan does not state the lots need to be more than one-acre lots in that residential area and the need for a buffer area in that location. Smaller single-family lots are already in the area and could benefit in the form of protection with this zoning change and that would be a normal transition and maintain your continuity, Betty said.
***Councilmember Hogue spoke on his experience with comprehensive plan uses for low density residential. He explained the lot uses would not lend well to the concerns Mr. McKinney brought up as being the owner next door to the vacant lot with usage remaining a single lot with the driveway facing Pitchfork, unless he granted an easement. An over half acre lot is still considered a large lot, he stated, and furthermore expressed the real need for a buffer. Mr. Hogue argued because the Developer is out the expense of putting in the water and sewer taps and we deny him, the City should reimburse him that cost.

***Councilmember Gholson remarked the comprehensive plan is an aide for the City to plan its development and not considered law. It lends itself to changes that are necessary as the situation calls for it, he said.

Aye votes: Councilmembers Hogue, Runnebaum, Gholson, Galle

Nay votes: Councilmember Fennell

Motion passed with a vote of 4-1

7. Discussion/Action: To consider and approve Ordinance No. 755-17, an Ordinance establishing standards for accessory buildings and accessory uses.

***Councilmember Runnebaum made a motion to approve Ordinance No. 755-17.

Seconded by Councilmember Fennell

***Councilmember Fennell mentioned the 10 feet setbacks are not realistic for a R-5 property.

***Betty Chew stated there is a provision for side yard and rear yard setbacks if it is a platted lot, which this one is.

***Councilmember Hogue suggested an addendum to the Ordinance that does not create a situation where people are out of ordinance overnight and we forbid people on smaller lots from building a structure after they buy a house. He would like to see a 6'x6' structure with a restriction that it cannot be taller than 6' 2" at the highest point of the shed.

***Betty Chew agreed to take the Ordinance back to the Commission to address these changes to establish standards of R-5 for properties already built and the current new construction.

Aye votes: Councilmembers Hogue, Fennell, Runnebaum, Gholson, Galle

Motion passed with a vote of 5-0

8. Discussion/Action: To discuss and consider awarding bid for force main replacement project to Fambro Construction, LLC.

***Item #8 was moved to Item #9.

***Scott Wall, City Administrator gave a report on the bid findings.

***Councilmember Gholson made a motion to award the bid for force main replacement project to Fambro Construcion, LLC.

Seconded by Councilmember Runnebaum.

Aye votes: Councilmembers Hogue, Fennell, Runnebaum, Gholson, Galle

Motion passed with a vote of 5-0

9. Discussion/Action: To discuss and consider directing the City Attorney to prepare documents to exchange extra territorial jurisdiction boundaries with the City of Annetta North.

***Item #9 was moved to Item #8.

***Mr. Watson, addressed council and gave a brief history of the workings of the proposed ETJ exchange between the two cities that began a few years ago. A resolution and agreement was submitted to former City Attorney, Rider Scott where it was held up two years ago.

***Councilmember Galle mentioned the hearing for the Public Safety Building in 2016 brought out citizens who lived on Jenkins Rd. that were against the ETJ swap with Annetta North.

***Kenneth Hall, addressed council stating the citizens on Jenkins Rd. were against the traffic being rerouted on Jenkins from housing development in Aledo. The areas in question are the mobile home park which Willow Park services that is in Annetta North's ETJ and the Northwest end of Jenkins Rd. located in Willow Park's ETJ. He said this was a win-win situation.

***Councilmember Gholson clarified the exchange is trading the trailer park for Jenkins Rd.

***Councilmember Runnebaum made a motion to direct the City Attorney to prepare documents for the ETJ exchange.

Seconded by Councilmember Hogue

***Councilmember Hogue stated he is aware residents on Jenkins Rd. are not in favor of this deal. He believes there needs to be some cleanup of this area and sees the natural boundary between the cities is the river, but that still splits Jenkins Rd. in half. The bigger issue is the County thoroughfare plan and the plan put out by NCTCOG identifies Jenkins Rd. as a major roadway because of its connection between Bankhead and Old Annetta Rd. He thinks there could be a better scenario between our City and the cities of Aledo and Annetta North to come up with a major route to make Bankhead extend and intercept Jenkins farther south to catch traffic coming off Bailey Ranch. He also brought up concerns with the ETJ maps he has seen from various sources and the future plan for an upgrade to Bankhead that has a 110'-120' of right-of-way that largely effects the south side. Moving forward, Mr. Hogue would like to see a more holistic picture that is in the best interest of Willow Park. Historically speaking, he feels like the people we service who currently reside in Annetta North's ETJ want to be left alone and be a part of the county and not a part of either city. He would like to have a discussion between the current council members with the City of Annetta North and the City of Aledo to see if we can work through some of these issues, mainly working with the master thoroughfare alignment so that we have Jenkins Rd. as a local street instead of a major roadway.

***Councilmember Gholson called up the Police Chief requesting we get crime statistics of the two areas in question. She stated she could get that information to him.

***Mayor Moss expressed a desire to see Bankhead cleaned up and look different from its current state.

Nay votes: Councilmembers Hogue, Fennell, Runnebaum, Gholson, Galle
Motion failed with a vote of 5-0

10. Discussion/Action: To discuss and consider action plan for partnership with the City of Hudson Oaks for water supply from the City of Fort Worth.

***Scott Wall, City Administrator gave a report to council and stated if the City chooses to move forward with the preliminary process, council will have the ability to approve the steps involved in

the future of this project. If the City wants to pursue water resources from the City of Fort Worth, Mr. Wall recommended they approve the preliminary contract.

***Councilmember Hogue made a motion to consider an action plan partnership with the City of Hudson Oaks for water supply from the City of Fort Worth.

***Councilmember Hogue brought up concerns with the alignment map and will get his remarks to Mr. Wall to present to the City of Fort Worth.

***Councilmember Galle also brought up concerns on the lines and what was considered in prior meetings.

Seconded by Councilmember Runnebaum

Aye votes: Councilmembers Hogue, Fennell, Runnebaum, Gholson, Galle

Motion passed with a vote of 5-0

- 11. Presentation:** To discuss and consider Resolution No. 09-17, a resolution to enter into an interlocal agreement with the City of Frisco to reduce cost of police uniforms.

***Chief Carrie West gave her presentation to council and answered questions. She noted an example of service with our current vendor is an issue; for example, her order placed in January (before she started) for a bullet proof vest has not been delivered to date.

***Councilmember Runnebaum made a motion to approve Resolution No. 09-17.

Seconded by Councilmember Gholson

Aye votes: Councilmembers Hogue, Fennell, Runnebaum, Gholson, Galle

Motion passed with a vote of 5-0

- 12. Discussion/Action:** To discuss and consider approving the settlement agreement previously approved with the new lines between Willow Park and Weatherford.

***Councilmember Gholson made a motion to approve settlement agreement previously approved with the new lines between Willow Park and Weatherford.

Seconded by Councilmember Hogue

***Mayor Moss encouraged council to consider the agreement and get it behind us.

***Councilmember Hogue spoke of concerns of the line on a map that is not recorded, not accepted by the City and not in conformance. He also mentioned concerns on how this effects citizens today and the issues with City records not being available at the time development started. He does not dispute the arc of land in Weatherford's ETJ, but states concern that these lots do not legally exist at this time. He would like to settle with Weatherford and be done with the lawsuit and then have a discussion with the developer in court along with his affidavit, he said.

***Mr. Wall advised council there is a possibility that the developer will sue the City for takings. His personal experience in these cases has revealed cities usually lose and incur a great deal more in cost. He also mentioned TML said they will not represent us in this case.

***Councilmember Galle revealed her concerns with the agreement stating the City of Weatherford is getting twenty additional homes in their ETJ, which is a tax loss and effects impact fees. She would like to see the line drawn more conservative.

***Further discussion amongst council resulted in redrawing the lines with two different options that evens things out.

***Councilmember Gholson made a modified motion to approve the settlement agreement previously approved with the modified lines between Willow Park and Weatherford.

Seconded by Councilmember Hogue

Aye votes: Councilmembers Hogue, Fennell, Runnebaum, Gholson, Galle

Motion passed with a vote of 5-0

Section IV – Council Requested Items

13. Discussion: To identify budgetary needs for drainage problems in the city. (Amy Fennell)

***Councilmember Fennell presented to council information regarding drainage issues at Crown and Live Oak and throughout the City.

***Ramon Johnson addressed council and stated the county could help us put the storm drains in and will identify some areas where we need assistance and begin working on that with the county.

***Councilmember Fennell requested we invite citizens to report problems on social media to speed up the identification process. Furthermore, Mrs. Fennell reported she has met with Ramon and Derek Turner with Jacob & Martin to come up with a plan.

***No action taken.

14. Discussion/Action: To discuss and consider authorizing the City Administrator to repair pavement on Saddle Trail in the Saddle Ridge Estates Subdivision. (Mayor Moss)

***David Eells, 1204 Saddle Trail, addressed council in support to repair pavement on Saddle Trail.

***Shannon Brown, 1430 Saddle Court, addressed council in support to repair pavement on Saddle Trail.

***Council discussed they agree the City should do the repairs because it was our mess up, however there are further issues to consider when repairing private property. There is a question of ownership in this subdivision with the absence of a comprehensive plat yet to be discovered by any parties. The possibilities exist that our water line was put into a private road in that development, which is not an ideal situation. Further discussion revealed that in the layout of the neighborhood, although the streets are private, the water lines are public.

***Councilmember Gholson made a motion to authorize the City Administrator to repair pavement on Saddle Trail in the Saddle Ridge Estates Subdivision.

Seconded by Councilmember Fennell

Aye votes: Councilmembers Hogue, Fennell, Runnebaum, Gholson, Galle
Motion passed with a vote of 5-0

- 15.** To discuss and consider authorizing the City Administrator to repair pavement on Verde Court in the Oak Manor Subdivision. (Marcy Galle)

***Councilmember Gholson made a motion to authorize the City Administrator to repair pavement on Verde Court in the Oak Manor Subdivision.

***Scott Wall, City Administrator advised council that we could do the repairs in-house and get additional support and assistance from the county.

Seconded by Councilmember Galle
Aye votes: Councilmembers Hogue, Fennell, Runnebaum, Gholson, Galle
Motion passed with a vote of 5-0

Section V - Informational

- 16.** Mayor & Council Member Announcements

***Councilmember Gholson reported that he and Councilmember Hogue met to discuss the possibility of Weatherford to get our wastewater. The cost of the study to inquire Weatherford's response is approximately \$15,000 with the assistance of the developer paying half of the cost. He will have that proposal agreement to council next month, he said.

- 17.** City Administrator's Report

***City Administrator Scott Wall stated to council that he and the Mayor along with Councilmember Hogue have met to look at TXDOT assisted projects for Willow Park. He asks their input on what might need support of from TXDOT and possibly the attention of our state representative. Funding and more details will follow in the future, he said.

Section VI – Adjournment

- 18.** Adjournment

***Councilmember Gholson made a motion to adjourn.

Seconded by Councilmember Runnebaum
Aye votes: Councilmembers Hogue, Fennell, Runnebaum, Gholson, Galle
Motion passed with a vote of 5-0

Mayor Moss adjourned the meeting at 9:07 p.m.

APPROVED

Doyle Moss, Mayor
City of Willow Park, Texas

ATTEST:

Kandice Garrett, City Secretary
City of Willow Park, Texas