

**MINUTES OF THE
TOWN COUNCIL
May 10, 2012**

REGULAR SESSION

ITEM 1 CALL TO ORDER

Mayor Scott McCarty called the meeting to order at 6:00 p.m.

ITEM 2 ROLL CALL

Those present were Council Member Ashman, Council Member Crider, Council Member Finley, Council Member Rouse and Mayor McCarty. Mayor Pro-Tem Gorman arrived at 6:03 p.m.

ITEM 3 INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Council Member Ashman led both.

ITEM 4 OPEN FORUM FOR CITIZEN INPUT

Sheri Clearman, City Secretary made a statement to the public relative to the upcoming election:

As a Town of Ponder employee, I think that it is important that someone go on record to let the citizens know truths about the goings on in their local government. There are people in this Town who will go extreme lengths to get a vote for the candidate of their choice. I have no vote in Ponder and quite frankly, in the position that I hold, cannot campaign nor should I even have a public opinion regarding an election.

With that said, I will stress the importance of educating yourself. The fact that you don't know something does not make you ignorant. Ignorance is speaking about something that you know nothing about.

The Town of Ponder is not now, nor have we been in the recent past, having talks with anyone about spending tax payer money to fund an event center. The Town of Ponder is not using tax payer funds to pay a consultant. As a matter of fact, over the last seven years, the Town Council has never raised taxes over the effective tax rate, remaining one of the lowest taxing entities in Denton County and still managed to come in under budget and increase our fund balance by a substantial amount each of these years. All employees of the Town know that it is our fiduciary responsibility to properly manage taxpayer funds and have done just that.

To clarify, the Ponder EDC asked that the Town budget for an update to the Comprehensive Plan and we did just that. The EDC does in fact pay a consultant out of their own budget, who was assisting the EDC in taking bids for a Comprehensive Plan, that is all. Again, no tax payer funds were spent by the Town of Ponder or the current Council to pay a consultant. Please take the time to learn what a comprehensive plan is and know that it is not a plan to build an event center. A comprehensive plan is a blueprint for guiding development in a community and includes information such as population/demographics, physical conditions, land use (zoning), the environment, transportation and legal and fiscal aspects.

This plan is a guide for decision making and a blueprint for growth. Elected officials and planning commissioners will rely on and use a thoughtfully prepared plan when they make decisions that affect and shape the community's future.

I, along with my fellow department heads welcome any citizen to contact us at Town Hall if you have questions relating to the Town of Ponder. We are here and we are happy to help.

ITEM 5 CONSENT AGENDA

Council Member Ashman moved to approve the March 5, 2012 and the April 12, 2012 minutes. Motion seconded by Council Member Crider. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, Council Member Finley and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

ITEM 6 CONSIDER AND ACT ON APPROVAL OF ORDINANCE 12-04, AMENDING THE ZONING ORDINANCE AND APPOINTING THE TOWN COUNCIL AS THE PLANNING & ZONING BOARD.

Mayor Pro-Tem Gorman moved to approve Ordinance 12-04. Motion seconded by Council Member Ashman. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, Council Member Finley and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

ITEM 7 CONSIDER AND ACT ON APPROVAL OF PURCHASE FOR PRESSURE REDUCING VALVES.

Mayor Pro-Tem Gorman moved to approve the purchase of pressure reducing valves at an amount not to exceed \$52,384. Motion seconded by Council Member Rouse. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, Council Member Finley and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

ITEM 8 CONSIDER AND ACT ON APPROVAL OF A PROCLAMATION ANNOUNCING MAY 21, 2012 THROUGH JUNE 3, 2012, CLICK IT OR TICKET MOBILIZATION.

Council Member Ashman moved to approve the Proclamation. Motion seconded by Council Member Crider. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, Council Member Finley and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

ITEM 9 CONSIDER AND ACT ON APPROVAL OF A REQUEST FROM IESI FOR A RATE INCREASE.

Council Member Crider moved to approve the request from IESI for a 3.03% rate increase for residential and commercial customers. Motion seconded by Mayor Pro-Tem Gorman. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, Council Member Finley and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

ITEM 10 CONSIDER AND ACT ON THE PURCHASE OF AN AUTOMATED WEATHER ALERT SYSTEM.

Mayor Pro-Tem Gorman moved to discuss. Motion seconded by Council Member Crider. After discussion, Mayor Pro-Tem Gorman moved to approve the purchase of the automated weather alert system from DeltAlert for 900.00 in the current fiscal year. Motion seconded by Council Member Ashman. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, Council Member Finley and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

ITEM 11 CONSIDER AND ACT ON SELLING THE OLD WASTEWATER TREATMENT PLANT LAND.

Mayor Pro-Tem Gorman moved to receive bids to sell the old wastewater treatment plant land. Motion seconded by Council Member Crider. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, Council Member Finley and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

ITEM 12 CONSIDER AND ACT ON APPROVAL OF ORDINANCE 12-05, REPEALING ORDINANCE 110 AND SETTING FORTH CERTAIN RULES AND REGULATIONS FOR HAVING ANIMALS WITHIN THE TOWN LIMITS.

No action.

ITEM 13 CONSIDER AND ACT ON APPROVAL OF RESOLUTION 12-06, ATMOS RATE CASE DENIAL.

Mayor Pro-Tem Gorman moved to approve Resolution 12-06 and deny the Atmos rate case. Motion seconded by Council Member Ashman. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, Council Member Finley and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

ITEM 14 CONSIDER AND ACT ON THE PONDER VOLUNTEER FIRE DEPARTMENT BUILDING PERMIT.

Mayor Pro-Tem Gorman moved to waive any fees that would not have a financial impact on the Town of Ponder pertaining to the PVFD Building Permit. Motion seconded by Council Member Ashman. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, Council Member Finley and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

ITEM 15 DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING THE STATUS OF THE ELEVATED TANK PROJECT AND CONTRACTORS OBLIGATIONS REGARDING A FINISH DATE.

Mayor Pro-Tem Gorman moved to withhold a retainage of \$3360 that would equal to 14 days at \$240 per day from Maguire Iron. Motion seconded by Council Member Ashman. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, Council Member Finley and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

ITEM 16 DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING THE BANK BUILDING LOCATED AT THE CORNER OF HWY 156 AND BAILEY STREET.

Sheri Clearman, City Secretary informed the Council that Ms. Georgia Linam, the owner of the bank building has offered to sell that building to the Town of Ponder at a fair price and also that she would be bringing this to the Council with more information in the future for consideration.

ITEM 17 ITEMS TO BE PLACED ON THE NEXT AGENDA.

Item 12 (Ordinance 12-05)

ITEM 18 ADJOURN.

Council Member Ashman moved to adjourn at 7:35 p.m. Motion seconded by Council Member Rouse. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, Council Member Finley and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

APPROVED:

Scott McCarty, Mayor

Date

ATTEST:

Sheri N. Clearman, City Secretary