

**MINUTES OF THE
TOWN COUNCIL
September 20, 2010**

ITEM 1 CALL TO ORDER

Mayor Vardell called the special session to order at 5:00 p.m. on Monday, September 20, 2010, in the Vivian Cockburn Municipal Building located at 405 Shaffner Street.

ITEM 2 ROLL CALL

Those present were Council Member Ashman, Council Member Crider, Mayor Pro-Tem Gorman and Mayor Vardell. Council Member Wilkinson arrived at 5:30 p.m.

ITEM 3 INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG.

Steve Grube led both.

ITEM 4 OPEN FORUM FOR CITIZEN INPUT.

Sheila Andrews, a resident of Ponder addressed the Council regarding a complaint against Police Chief Steve Grube. Mrs. Andrews stated that on September 10, 2010, she was approached inside her place of employment by Chief Grube. He did not ask her to step outside and addressed her inside of her work, embarrassing her in front of her co-workers and staff. She said that if he is going to speak to someone about a personal matter, he should do it in private.

Mayor Pro-Tem Gorman told Mrs. Andrews that he would have asked a Police Officer to go outside to talk. He also knows that they are intimidating. He also asked her if Chief Grube knew that the person he was questioning her about was her daughter.

Mrs. Andrews replied that yes, Chief Grube asked her about her daughter specifically. Her daughter is a 21 year old adult and old enough to speak for herself.

Mayor Vardell asked Mrs. Andrews if Chief Grube used any vulgarity and she replied no. He also told Mrs. Andrews that this matter was currently under investigation and would be tabled until afterwards.

ITEM 5 CONSENT AGENDA.

Council Member Ashman moved to approve the August 12, 2010 minutes. Motion seconded by Council Member Crider. Ayes: Council Member Ashman, Council Member Crider and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 6 CONSIDER AND ACT ON THE RENEWAL OF ANIMAL CONTROL SERVICES AGREEMENT WITH BRIAN HALL.

Mayor Pro-Tem Gorman moved to renew the contract. Motion seconded by Council Member Ashman. Ayes: Council Member Ashman, Council Member Crider and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 7 DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING THE WATER BILL AT 403 SHAFFNER STREET.

Mayor Pro-Tem Gorman moved to waive \$280 plus late fees from this water bill. Motion seconded by Council Member Crider. Ayes: Council Member Ashman, Council Member Crider and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 8 CONSIDER AND ACT ON APPROVAL OF ORDINANCE 10-08, APPROVING A NEGOTIATED RESOLUTION BETWEEN THE ACSC AND ATMOS ENERGY CORPORATION.

Mayor Pro-Tem Gorman moved to approve Ordinance 10-08. Motion seconded by Council Member Ashman. Ayes: Council Member Ashman, Council Member Crider and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 9 CONSIDER AND ACT ON APPROVAL OF A LEASE AGREEMENT BETWEEN THE TOWN OF PONDER AND PARTNERSHIP WIRELESS FOR TOWER RENTAL.

Council Member Ashman moved to approve the lease agreement between the Town of Ponder and Partnership Wireless for tower rental. Motion seconded by Council Member Crider. Ayes: Council Member Ashman, Council Member Crider and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 10 PUBLIC HEARING REGARDING THE STRUCTURE LOCATED AT 503 N FREDERICK STREET, DECLARING THE BUILDING TO BE UNSAFE.

Mayor Pro-Tem Gorman moved to open the public hearing. Motion seconded by Council Member Crider. Ayes: Council Member Ashman, Council Member Crider and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

Mayor Vardell asked if there was anyone that would speak for or against this issue. Chief Grube stated that he has entered into an agreement with the owner and that she has 30 days to demolish the structure before any action is taken against her.

Council Member Ashman moved to close the public hearing. Motion seconded by Council Member Crider. Ayes: Council Member Ashman, Council Member Crider and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 11 CONSIDER AND ACT ON THE STRUCTURE LOCATED AT 503 N FREDERICK STREET, DECLARING WHETHER IT BE UNSAFE AND IF TO CONDEMN IT ACCORDING TO ORDINANCE 151.03 OF THE TOWN OF PONDER CODE OF ORDINANCES.

Mayor Pro-Tem Gorman moved to table this item. Motion seconded by Council Member Crider. Ayes: Council Member Ashman, Council Member Crider and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 12 CONSIDER AND ACT ON APPROVAL OF BETTY FOSTER PUBLIC LIBRARY BUDGET.

Mayor Pro-Tem Gorman moved to approve the Betty Foster Public Library Budget. Motion seconded by Council Member Crider. Ayes: Council Member Ashman, Council Member Crider, Council Member Wilkinson and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 13 CONSIDER AND ACT ON A CITIZEN COMPLAINT REGARDING THE PONDER POLICE CHIEF.

This item tabled until next meeting.

ITEM 14 CONSIDER AND ACT ON APPROVAL OF A BUDGET AMENDMENT TO MOVE FUNDS FROM FUEL TO SALARIES IN THE POLICE DEPARTMENT BUDGET TO COVER A SHORTFALL.

Council Member Crider moved to approve a \$1,500 transfer from Fuel to Salaries to cover a shortfall. Motion seconded by Council Member Ashman. Ayes: Council Member Ashman, Council Member Crider, Council Member Wilkinson and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 15 DISCUSSION WITH STEVE GRUBE REGARDING ADDITIONAL COMP TIME IN THE UPCOMING BUDGET.

Council Member Wilkinson recommended that this be discussed with item 17.

ITEM 16 PUBLIC HEARING AND DISCUSSION ON FINALIZATION OF THE FT 2010-11 GENERAL FUND BUDGET.

Council Member Ashman moved to open the public hearing. Motion seconded by Council Member Crider. Ayes: Council Member Wilkinson, Council Member Ashman, Council Member Crider and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

Mayor Vardell asked if there was anyone to speak for or against this issue. No one to speak.

Council Member Crider moved to close the public hearing. Motion seconded by Council Member Ashman. Ayes: Council Member Wilkinson, Council Member Ashman, Council Member Crider and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 17 DISCUSSION, CONSIDER AND ACT ON ADOPTING ORDINANCE 10-10, APPROPRIATIONS FOR THE SUPPORT OF THE TOWN OF PONDER FOR THE 2010-11 FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011.

Mayor Pro-Tem Gorman moved to approve Ordinance 10-10. Motion seconded by Council Member Crider. Ayes: Council Member Wilkinson, Council Member Ashman, Council Member Crider and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 18 CONSIDER AND ACT ON APPROVAL OF ORDINANCE 10-12, FIXING WATER RATES.

Council Member Ashman moved to approve Ordinance 10-12, fixing water rates. Motion seconded by Council Member Crider. Ayes: Council Member Wilkinson, Council Member Ashman, Council Member Crider and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 19 CONSIDER AND ACT ON APPROVAL OF ORDINANCE 10-11, TOWN OF PONDER WATER AND SEWER BUDGET FOR FY2010-11.

Mayor Pro-Tem Gorman moved to approve Ordinance 10-11, Town of Ponder Water and Sewer Budget for FY2010-11. Motion seconded by Council Member Ashman. Ayes: Council Member Wilkinson, Council Member Ashman, Council Member Crider and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 20 PUBLIC HEARING REGARDING LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE TOWN OF PONDER FOR THE 2010-11 FISCAL YEAR.

Council Member Ashman moved to open the public hearing. Motion seconded by Council Member Wilkinson. Ayes: Council Member Wilkinson, Council Member Ashman, Council Member Crider and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

Mayor Vardell asked if there was anyone to speak for or against this issue. No one to speak.

Council Member Crider moved to close the public hearing. Motion seconded by Council Member Wilkinson. Ayes: Council Member Wilkinson, Council Member Ashman, Council Member Crider and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 21 DISCUSSION, CONSIDER AND ACT ON ADOPTING ORDINANCE 10-09, LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE TOWN OF PONDER FOR THE 2010-11 FISCAL YEAR.

Mayor Pro-Tem Gorman moved to approve Ordinance 10-09 Levying ad valorem taxes for use and support of the Town of Ponder. Motion seconded by Council Member Ashman. Ayes: Council Member Wilkinson, Council Member Ashman, Council Member Crider and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 22 ITEMS TO BE PLACED ON THE NEXT AGENDA.

Grube Complaint
UTRWD Representative
Eddies Street

ITEM 23 ADJOURN.

Council Member Wilkinson moved to adjourn at 5:55 p.m. Motion seconded by Council Member Crider. Ayes: Council Member Wilkinson, Council Member Ashman, Council

Member Crider and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

APPROVED:

Jeff Vardell, Mayor

Date

ATTEST:

Sheri N. Clearman, City Secretary