

**MINUTES OF THE
TOWN COUNCIL
MARCH 18, 2019**

ITEM 1 CALL TO ORDER

Mayor Bassler called the meeting to order at 6:10 p.m.

ITEM 2 ROLL CALL

Those present were Mayor Bassler, Council Member Poole, Council Member Cockburn and Mayor Pro-Tem Gorman.

ITEM 3 INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG.

Mayor Bassler led both.

ITEM 4 OPEN FORUM FOR CITIZEN INPUT

Andrew Economedes reported to the Council regarding February 2019 PVFD activity. He stated that there were a total of 33 incidents compared to 51 at this time last year. There were 8 incidents inside the Town with 18 man-hours given and there were 25 incidents in the County with 64 man-hours given. There was an average 4-person response. They department has set the date for the annual BBQ Dinner fundraiser and it is on May 18 from 5-8 pm. They are looking for any donations for the live and silent auction. Monetary donations are also accepted. The PVFD sent one firefighter to the annual spring fire school in College Station. This was paid for by the Texas Forest Service 2604 Grant. They also have 5 people going to training on Mar 21 and 22. They conducted their annual hose test last Friday in the stadium parking lot on the west side. Denton County cowboy church provided a breakfast for Ponder, Krum, Justin and Denton Fire Departments this past Saturday. He reported that Denton Fire Department is hosting volunteer training day on April 20. Council is invited to attend and participate. They are also applying for a CoServ grant to purchase two Life Pak EKG defibrillators to replace the current ones. Mr. Economedes stated that he and Charlie Williams would like to sit in on budget planning sessions for FY2020 if that is allowed.

ITEM 5 CONSENT AGENDA

Council Member Poole moved to approve the February 2019 Financial Statement, The February 2019 Police Department Activity Report and the February 2019 Library Report. Motion seconded by Council Member Cockburn. Ayes: Council Member Poole, Mayor Pro-Tem Gorman and Council Member Cockburn. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 6 DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATIVE TO THE FRYER CONSTRUCTION CONTRACT FOR THE WWTP EXPANSION.

Gary Morris asked that this item be tabled until the next Town Council Meeting. Mayor Pro-Tem Gorman moved to table this item until the April Town Council Meeting. Motion seconded by Council Member Poole. Ayes: Council Member Poole, Mayor Pro-Tem Gorman and Council Member Cockburn. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 7 UPDATE FROM SHERI CLEARMAN, TOWN SECRETARY REGARDING SEVERANCE PAY FOR THE EDC ADMINISTRATIVE ASSISTANT.

Sheri Clearman reported that she has consulted with Matthew Boyle, Town Attorney and that he did not recommend that we give Penny Nichols three months severance pay.

ITEM 8 CONDUCT A PUBLIC HEARING TO HEAR AND CONSIDER PUBLIC COMMENT REGARDING A VARIANCE REQUEST TO GAS WELL ORDINANCE 01-42, TO ALLOW THE RESIDENTIAL BULDING SETBACK TO BE REDUCED FROM 300 FEET TO 200 FEET FROM AN EXISTING GAS WELL KNOWN AS GEORGIA MASSEY GU #2 AS SHOWN IN THE F. DAVIS SURVEY, A-371, DENTON COUNTY, TEXAS FOR THE PURPOSE OF BULDING A SINGLE-FAMILY ADDITION TO BE KNOWN AS CLAIRMONT ESTATES, LOCATED WITHIN A 55.893 AC. TRACT OF LAND SITUATED IN TE FIELD DAVIS SURVEY ABSTRACT 371, PONDER, TEXAS.

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

Mayor Bassler asked if there was anyone present to speak on this item.

The engineer for the property owner/developer stated that they are only asking for variances for setbacks and that he feels like not varying from these is “a taking”. He also added that parts of their property is undevelopable because of these setbacks. Mayor Pro-Tem Gorman told the engineer that the ordinance has been in place for several years and was probable that they were in place before the owner/developer purchased the property. Council Member Cockburn stated that the Council has no control over where the wells are placed. The engineer stated that the homeowners will know ahead of time that the wells are there. Mayor Pro-Tem Gorman replied that they should think about the fracturing and noise and traffic that these wells cause even for a couple of months and added that he doubted that the sales office will disclose the location of the wells during their pitch.

Mayor Pro-Tem Gorman moved to close the Public Hearing. Council Member Poole seconded the motion. Ayes: Council Member Poole, Mayor Pro-Tem Gorman and Council Member Cockburn. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 9 CONDUCT A PUBLIC HEARING TO HEAR AND CONSIDER PUBLIC COMMENT REGARDING A VARIANCE REQUEST TO GAS WELL ORDINANCE 01-42, TO ALLOW THE RESIDENTIAL BULDING SETBACK TO BE REDUCED FROM 300 FEET TO 200 FEET FROM AN EXISTING GAS WELL KNOWN AS GEORGIA MASSEY GU #3 AS SHOWN IN THE F. DAVIS SURVEY, A-371, DENTON COUNTY, TEXAS FOR THE PURPOSE OF BULDING A SINGLE-FAMILY ADDITION TO BE KNOWN AS CLAIRMONT ESTATES, LOCATED WITHIN A 55.893 AC. TRACT OF LAND SITUATED IN TE FIELD DAVIS SURVEY ABSTRACT 371, PONDER, TEXAS.

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

The developer’s engineer showed an additional option to move homes far enough away from the wells.

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

ITEM 10 CONDUCT A PUBLIC HEARING TO HEAR AND CONSIDER PUBLIC COMMENT REGARDING A VARIANCE REQUEST TO GAS WELL ORDINANCE 01-42, TO ALLOW THE RESIDENTIAL BUILDING SETBACK TO BE REDUCED FROM 300 FEET TO 200 FEET FROM AN EXISTING GAS WELL KNOWN AS GEORGIA MASSEY #4 AS SHOWN IN THE F. DAVIS SURVEY, A-371, DENTON COUNTY, TEXAS FOR THE PURPOSE OF BUILDING A SINGLE-FAMILY ADDITION TO BE KNOWN AS CLAIRMONT ESTATES, LOCATED WITHIN A 55.893 AC. TRACT OF LAND SITUATED IN THE FIELD DAVIS SURVEY ABSTRACT 371, PONDER, TEXAS.

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

Mayor Bassler asked if anyone wanted to speak.

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

ITEM 11 CONSIDER AND ACT ON A VARIANCE REQUEST TO GAS WELL ORDINANCE 01-42 TO ALLOW THE RESIDENTIAL BUILDING SETBACK TO BE REDUCED FROM 300 FEET TO 200 FEET FROM AN EXISTING GAS WELLS KNOWN AS GEORGIA MASSEY GU #2, GU#3 AND GEORGIA MASSEY #4 AS SHOWN IN THE F. DAVIS SURVEY, A-371, DENTON COUNTY, TEXAS FOR THE PURPOSE OF BUILDING A SINGLE-FAMILY ADDITION TO BE KNOWN AS CLAIRMONT ESTATES, LOCATED WITHIN A 55.893 ACRE TRACT OF LAND SITUATED IN THE FIELD DAVIS SURVEY ABSTRACT 371, PONDER, TEXAS.

Mayor Pro-Tem Gorman moved to table this item until the next Town Council meeting. Motion seconded by Council Member Poole. Ayes: Council Member Poole, Mayor Pro-Tem Gorman and Council Member Cockburn. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 12 CONSIDER AND ACT ON A RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION TO APPROVE THE PRELIMINARY PLAT FOR THE PURPOSE OF BUILDING A SINGLE-FAMILY ADDITION TO BE KNOWN AS CLAIRMONT ESTATES, LOCATED WITHIN A 55.893 ACRE TRACT OF LAND SITUATED IN THE FIELD DAVIS SURVEY ABSTRACT 371, PONDER, TEXAS.

Mayor Pro-Tem Gorman moved to table this item until the next Town Council meeting. Motion seconded by Council Member Poole. Ayes: Council Member Poole, Mayor Pro-Tem Gorman and Council Member Cockburn. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 13 ITEMS FOR THE NEXT AGENDA

ITEM 13 ADJOURN

Council Member Poole moved to adjourn at 6:45 pm. Motion seconded by Mayor Pro-Tem Gorman. Ayes: Council Member Poole, Mayor Pro-Tem Gorman and Council Member Cockburn. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

APPROVED:

John Bassler, Mayor

Date

ATTEST:

Sheri N. Clearman, City Secretary