

**MINUTES OF THE
TOWN COUNCIL
FEBRUARY 12, 2018**

ITEM 1 CALL TO ORDER

Mayor Bassler called the meeting to order at 6:30 p.m.

ITEM 2 ROLL CALL

Those present were Mayor Bassler, Mayor Pro-Tem Gorman, Council Member Crowell, council member Cockburn and Council Member Mann.

ITEM 3 INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG.

Mayor Bassler led both.

ITEM 4 OPEN FORUM

There were several individuals who signed up to speak during specific items on the agenda.

ITEM 5 CONSENT AGENDA.

Council Member Crowell moved to approve the December 11, 2017 minutes, the January 2018 financial statement, the January 2018 Library report and the January 2018 Police activity report. Motion seconded by Council Member Mann. Ayes: Council Member Crowell, Council Member Mann, Council Member Cockburn and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 6 DISCUSSION, CONSIDERATION AND ACTION REGARDING THE WASTE COLLECTION CONTRACT.

Norm Bulaich with Waste Connections, the Town of Ponder current waste collection provider, thanked the Council for their business. He said that the current contract will be up this year and that they would like to renew by dual agreement. Mr. Bulaich presented the Council with a letter saying the same. Mayor Pro-Tem Gorman asked if the company would be willing to negotiate sludge hauling. Mr. Bulaich agreed to that. Mayor Pro-Tem Gorman directed the staff to negotiate with Waste Connections before renewing the contract.

John Gustafson, President and CEO of Frontier Waste reported to the Council that his company was about one year old and that he has several employees that came from Waste Connections. His company is locally owned and a private funded and based company who he stated is focused on Texas which is non-typical. Mr. Gustafson requested that the Town put out an RFP and would like the opportunity to give a proposal.

ITEM 7 CONSIDER AND ACT ON REQUESTS FROM THE LADY VIP THAT INCLUDE LIGHTING FOR THE SCHOOLHOUSE THAT IS IN THE EDDIE DEUSSEN PARK AND LIGHTING AT THE SOUTHWEST PORTION OF THE PARK.

Glenda Brooks presented bids to the Council for lighting on the schoolhouse and Betsy's garden. She added that they need electrical outlets for safety during events that would alleviate the need for so many extension cords. Ms. Brooks asked for permission to have this work completed.

Mayor Pro-Tem Gorman moved to partner in cost with the Lady VIP and pay half of the \$2,188 bid for electrical services. Motion seconded by Council Member Crowell. Ayes: Council Member Crowell, Council Member Mann, Council Member Cockburn and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 8 CONSIDER AND ACT ON RE-APPOINTING GARY MORRIS, ROBERT GENOVA AND LINDA WILSON TO THE EDC BOARD.

Mayor Pro-Tem Gorman moved to appoint Gary Morris, Robert Genova and Linda Wilson to the EDC Board. Motion seconded by Council Member Mann. Ayes: Council Member Crowell, Council Member Mann, Council Member Cockburn and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 9 CONSIDER AND ACT ON APPROVAL OF A FINAL PLAT FOR LOT 1, BLOCK A WAKEFIELD ADDITION.

Council Member Crowell moved to approve the final plat for Lot 1, Block A, Wakefield addition. Motion seconded by Council Member Mann. Ayes: Council Member Crowell, Council Member Mann, Council Member Cockburn and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 10 CONSIDER AND ACT ON APPROVING ORDINANCE 18-01, PARKING.

Mayor Pro-Tem Gorman moved to approve Ordinance 18-01, Parking. Motion seconded by Council Member Crowell. Ayes: Council Member Crowell, Mayor Pro-Tem Gorman. Nays: Council Member Cockburn, Council Member Mann and Mayor Bassler. Abstentions: None. Motion failed with 2 ayes, 3 nays and 0 abstentions.

ITEM 11 DISCUSSION WITH THOMAS FLETCHER AND DEVELOPERS IN REFERENCE TO A PROPOSED DEVELOPMENT.

Council Member Crowell moved to switch Item 11 and Item 12 at Mr. Bob Shelton's suggestion. Motion seconded by Council Member Cockburn. Ayes: Council Member Crowell, Council Member Cockburn and Mayor Pro-Tem Gorman. Nays: Council Member Mann. Abstentions: None. Motion passed with 3 ayes, 1 nay and 0 abstentions.

This item was discussed following Item 12.

Mr. Bob Shelton, a developer reported that he would like to add on to Remington Park and that he is in contract with the Webster and Talley families to purchase land to do so. He would like for the Town to annex this land into the Town limits under a pre-annexation agreement.

Thomas Fletcher, the developer's engineer said that there are three tracts of land and that they looked at mobility when designing this plan. There is only one gas well that would be on-site, the others are off-site. They would include a millstone water feature (Silas Crystal) and a gristmill, walking trails, play structures and ball fields. The tracts are currently in the ETJ but would like to enter into a pre-annexation development agreement. The site would be walkable, with sidewalks, medians and a tie-in with Meadow. The tracts are 140 acres with 30 acres of open space which is about four times the amount required.

This group would like to move forward with an agreement.

ITEM 12 DISCUSSION REGARDING THE WATER QUALITY IN PONDER.

This item was discussed before Item 11.

Seraluna Sanchez, resident of 523 Lonestar Park, Ponder, TX spoke to the Council about the water quality in Remington Park. She reported that the water smelled of bleach, vinegar and sewage and that it was causing open sores and rashes on herself and friends have experienced this also. She added that one contact is enough to cause the breakout. Ms. Sanchez said that out of 45 houses sampled, that there were 19 hits that have issues with the water. She also reported that there is water discolored. She has looked up the affects of chlorine exposure and has spoken to the TCEQ and Clean Water Action.

Meghan Avigliano, resident of 404 Keenland Way, Ponder, TX spoke to the Council about the water quality. Ms. Avigliano has pictures of her family's reactions. She has been a Ponder resident since 2016. She reported that her family is having skin reactions to the water and that the water smells. The reaction is dry itchy bumps and they burn. Her family does not drink the water due to the vinegar or soapy taste. They drink bottled water stating that filtering does not help. Ms. Avigliano reported that she called the TCEQ and they said to call Denton to get testing done. She said that as a resident she wants to know what she ingests and wants to know if the level is high or low and if this is a system that injects the chlorine or a person.

Alex Avigliano, resident of 404 Keenland Way, Ponder, TX spoke to the Council about the water quality. He reported that a Culligan Water representative came to his house and tested the water and that it tested harmful. He stated that his hands are dry and red and burn. Mr. Avigliano reported that they can not cook, shower or drink their water or even wash their clothes in it and that it has been this way for the last four months.

Jackie Spivey, resident of 218 Southpeak Lane, Ponder, TX, reported to the Council that she has been a resident since 2016. In the beginning she had rust in toilets and faucets and had to change her appliances. She now has Culligan whole house filtration system. The problem was originating from the well close to her house and the problem was corrected. She stated that the PH level of her water was high today, however her chlorine was okay.

David Anderson, a resident of 407 Lonestar Park Lane, Ponder, TX reported to the Council that he is having some of the same problems spoken about tonight. He reported a persistent rash on his leg. He understood that the TCEQ reported low chlorine.

Yesenia Santillan, a resident of 407 Lonestar Park Lane, Ponder, TX reported that her home has a water issue. She said that her legs look awful and it is costing her money. She requested that the Town of Ponder fix it. She also stated that her daughter has a burning rash.

Gary Morris, the Director of Public Works for the Town of Ponder introduced himself as licensed in water and in wastewater. He has been in this position for 26 years. He reported that the TCEQ is who regulates the treatment of Town water. Mr. Morris met with the TCEQ last week. He stated that the TCEQ requires a FREE CHLORINE of 0.20 with no maximum level. He said that the Town wells are between 600ft and 700ft deep and that water is pumped from the ground into a tank and is disinfected with chlorine gas before going into a storage tank. Mr. Morris stated that his staff must take a chlorine read every day. The chlorine has a regulator that Town staff controls. He also informed that FREE CHLORINE is what is left over after treating the water. He stated that the Town has 6 wells and that the Town contracts with a state lab. He informed and reminded everyone of the annual Consumer Confidence Report that the Town mails to each water customer every year.

Kyle Bratton, an employee of Culligan reported that the federal guidelines are out dated. He stated that there are problems due to fracking and is concerned about the groundwater.

Gary Morris replied that the water is tested for Nitrates every five years and for lead and copper every seven years. Last tested two years ago. Gary also stated that normally if you smell chlorine, there isn't enough in the water. He had a handout for the Council relative to this.

Council Member Crowell asked if anyone has been to the doctor for the rashes and sores.

Meghan Avigliano replied that she should not have to go to the doctor for a problem with the water.

Gary Morris asked if anyone fertilized their lawn. He said that it would be a good idea to check backflow prevention devices.

ITEM 13 ITEMS FOR THE NEXT AGENDA.

None to report.

ITEM 14 ADJOURN.

Council Member Mann moved to adjourn. Motion seconded by Council member Crowell. Ayes: Council Member Crowell, Council Member Mann, Council Member Cockburn and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

APPROVED:

John Bassler, Mayor

Date

ATTEST:

Sheri N. Clearman, City Secretary