

**MINUTES OF THE
TOWN COUNCIL
December 14, 2009**

ITEM 1 CALL TO ORDER

Mayor Pro-Tem Gorman called the regular session to order at 6:00 p.m. on Monday, December 14, 2009, in the Vivian Cockburn Municipal Building located at 405 Shaffner Street.

ITEM 2 ROLL CALL

Those present were Mayor Pro-Tem Gorman, Council Member Ashman and Council Member Crider.

ITEM 3 INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Police Chief Steve Grube led the invocation and pledge of allegiance to the flag.

ITEM 4 CITIZEN INPUT

No one signed up to speak.

ITEM 5 CONSENT AGENDA.

Council Member Ashman moved to approve the November 23, 2009 minutes, the November bill report and the November financial statement. 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 AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH EWL GEOTECHNICAL STUDIES GROUP, INC. FOR THE NECESSARY SOIL BORINGS, ANALYSIS AND REPORT WITH RECOMMENDATION FOR FOUNDATION DESIGN FOR THE ELEVATED STORAGE TANK.

Council Member Ashman moved to authorize the Mayor to sign a contract with EWL for the necessary soil borings, analysis and report with a recommendation for foundation design for the elevated storage tank. Motion seconded by Council Member Crider.

Mayor Pro-Tem Gorman made a secondary motion to authorize the Mayor to sign a proposal with EWL Geotechnical Studies Group, Inc. for the lump sum amount of \$2,500 and to authorize the Mayor \$500 in contingency funds should suitable bearing surface not be encountered, authorizing the Mayor to spend a total of \$3,000 with EWL to analyze suitable foundation alternatives for the new elevated water storage tank. 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 CONSIDER AND ACT ON A RECOMMENDATION FROM THE P&Z TO APPROVE A FINAL PLAT FOR LOTS 1 & 2, BLOCK A, WILBANKS ADDITION BEING A 0.57 ACRE TRACT OF LAND LOCATED ON THE WEST SIDE OF HIGHWAY 156, NORTH OF GREEN AND SOUTH OF KING GEORGE AND BEING LOCATED IN THE NATHANIEL RUDDER SURVEY ABSTRACT NO 1060, TOWN OF PONDER, DENTON COUNTY, TEXAS.

Council Member Crider moved to accept and approve the recommendation from the P&Z to approve a final plat for lots 1 & 2, Block A, Wilbanks Addition being a 0.57 acre tract of land located on the west side of Highway 156, north of Green and south of King George and being located in the Nathaniel Rudder Survey, Abstract No 1060, Town of Ponder, Denton County, Texas. 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 8 PUBLIC HEARING: REGARDING A RECOMMENDATION FOR P&Z TO APPROVE CHANGES TO THE ZONING ORDINANCE, AMENDING APPENDIX B: TABLES; TABLE 1: SCHEDULE OF USES TO ALLOW GENERAL MERCHANDISE STORE IN C-1.

Council Member Ashman 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 Pro-Tem Gorman asked for anyone to speak for or against this recommendation with no response.

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 9 CONSIDER AND ACT ON A RECOMMENDATION FROM P&Z TO APPROVE CHANGES TO THE ZONING ORDINANCE, AMENDING APPENDIX B: TABLES; TABLE 1: SCHEDULE OF USES TO ALLOW GENERAL MERCHANDISE STORE IN C-1.

Council Member Ashman moved to approve the recommendation from P&Z to approve changes to the Zoning Ordinance, amending appendix B: Tables; Table 1: Schedule of uses to allow General Merchandise Store in C-1. 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 CONSIDER AND ACT ON APPROVAL OF CHANGES TO THE EDDIE DEUSSEN PARK EXPANSION PROJECT, SPECIFICALLY THE PUBLIC RESTROOMS.

Council Member Ashman moved to approve the changes to the public restroom at the Eddie Deussen Park expansion from stainless steel to porcelain. 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 APPROVAL OF A WATER UTILITY ACCESS EASEMENT AGREEMENT BETWEEN THE TOWN OF PONDER AND THE PONDER INDEPENDENT SCHOOL DISTRICT.

Council Member Crider moved to approve the Water Utility Access Easement Agreement between the Town of Ponder and the Ponder Independent School District. 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 12 DISCUSSION AND DIRECTION CONCERNING PARK CONCEPT PLAN AND COSTS.

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 13 UPDATE REGARDING ELEVATED TANK SITE ACQUISITION.

Mayor Pro-Tem Gorman moved to table this item. 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 14 CONSIDER AND ACT ON ACCEPTANCE OF PERSONNEL PERFORMANCE REVIEWS FOR CITY SECRETARY, DIRECTOR OF PUBLIC WORKS AND POLICE CHIEF.

Mayor Pro-Tem Gorman moved to table this item. 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 15 ITEMS TO BE PLACED ON THE NEXT AGENDA.

Update on tank site
PPR's for department heads
Park concept plan and costs

ITEM 16 ADJOURN.

Council Member Crider moved to adjourn at 6:20 p.m. 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.

APPROVED:

Jeff Vardell, Mayor

Date

ATTEST:

Sheri N. Clearman, City Secretary