

**MINUTES OF THE
TOWN COUNCIL
JULY 28, 2008**

ITEM 1 CALL TO ORDER

Mayor Vardell called the regular session to order at 6:00 p.m. on Monday, July 28, 2008, in the Vivian Cockburn Municipal Building located at 405 Shaffner Street.

ITEM 2 ROLL CALL

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

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 MAYOR'S REPORT

None.

ITEM 5 CITIZEN INPUT

Mike Durrett, business owner in Ponder reported to the Council that he was very appreciative of the Police Department. He personally lost \$9000 in property and was all recovered by the Ponder Police Department on two different occasions.

Mr. Durrett also addressed the Council asking that a blind crossing sign be placed on Fm 156. He stated that he has a daughter who is blind and will begin finding her way around alone soon.

Georgia Linam reported to the Council that Terry Bussell resigned from the EDC today. She spoke of herself and a few others that dreamed up the EDC for Ponder. She is the only one left. She reported that there are always spots on the EDC to be filled. Ms. Linam asked that she be appointed to President or Vice-President of the EDC by the Council. She is very proud of the work that they have done in the past.

ITEM 6 CONSENT AGENDA.

Council Member Ashman moved to approve the June 9, 2008 and the July 14, 2008 minutes. Motion seconded by Council Member Rouse. Ayes: Council Member Ashman, Council Member Rouse, Council Member Crider, Council Member Wilkinson 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 ALLOWING GALLAGHER CONSTRUCTION TO BEGIN THEIR WORK DAY BEFORE 7 AM WHEN POURING CONCRETE.

Council Member Crider moved to approve. Motion seconded by Council Member Wilkinson. Ayes: Council Member Ashman, Council Member Rouse, Council Member Crider, Council Member Wilkinson 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 RECOMMENDATION TO HIRE TEDDI JAMES AS THE WATER CLERK.

Mayor Pro-Tem Gorman moved to accept the recommendation of Sheri Clearman and Gary Morris to hire Teddi James as the Water Clerk. Motion seconded by Council Member Ashman. Ayes: Council Member Ashman, Council Member Rouse, Council Member Crider, Council Member Wilkinson 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 ACCEPTANCE OF EASEMENTS.

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

ITEM 10 DISCUSS, CONSIDER AND POSSIBLE ACT ON PONDER ISD BUILDING PROJECTS.

Town Engineer, George Belcheff updated the Town on the PISD project. He reported that the school is required to file a preliminary plat and take it before the P&Z. He stated that they should have deal points lined out in a community services agreement prior to a building permit being issued and a final plat should be approved before a CO is issued to the PISD. All issues in the agreement would be addressed before the CO is issued. No vertical construction before the platting process.

Town Attorney John Boyle stated that the Town has the authority and the duty of seeing that the ordinances are followed. The platting process is just a vehicle and it is most important that the Town has the responsibility of seeing to it that the rules are followed. It is in the best interest of the citizens of the Town that the lawyers not handle this issue. He suggested that our Engineer and the PISD Architect get together and work these things out. Mr. Boyle spoke with the PISD attorney and informed him that the Town Staff was very reasonable and wanted to help the PISD proceed. Mr. Boyle suggested to the PISD attorney that the school could use a site plan with enough information for the Town engineer to be comfortable and is recommending this to the Council.

George Belcheff reported to the Council on what the Town Staff has done to get PISD started without a permit. He stated that Fire Protection was his biggest concern. There is insufficient fire flow on that site to proceed. George stated that his goal is to get the Town to a point that we can provide the water necessary and that the drainage is okay.

Mayor Pro-Tem Gorman asked George if there was enough water in the air to meet fire flow capacity. George replied that we currently have 585,000 gallons for domestic and fire flow.

Mayor Vardell asked George if any schools really meet these fire flow demands. George replied that most schools do meet these numbers.

Town Fire Marshall, Dean Bray stated that with sprinklers, the requirement can be reduced by 50%. He also reported that he is still lacking a fire flow study from PISD Staff.

George Belcheff stated that the Town has funds to invest in an elevated storage tank. There is a possibility that the school will have to spend funds to purchase a ground storage for fire protection water. He stated that the school could help the Town build a larger elevated tank to keep from having to build their own. Mr. Belcheff stated that construction is currently going on at the site and it will become harder to come to a solution the further along they go. He is asking for direction from the Council on what to do.

John Boyle requested that a meeting be set up between all parties involved.

Council Member Wilkinson stated that he was a member of the bond committee of this particular project and advised the School Board to speak to the Town about infrastructure and it was not done.

Mayor Pro-Tem Gorman moved to notify the PISD to halt all construction until their engineers, architects and the Town Staff can meet and resolve the issues in the review letters from the Fire Marshall, Town Engineer and Mitchell Planning. Motion seconded by Council Member Rouse. Ayes: Council Member Ashman, Council Member Rouse, Council Member Crider, Council Member Wilkinson and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

ITEM 11 DISCUSSION REGARDING THE SALE OF BULK WATER.

Mayor Vardell updated the Council on the sale of bulk water. He stated that the Town is selling quite a bit of bulk water and can not sell any more water right now without hurting the Town's water supply.

ITEM 12 CONSIDER AND ACT ON APPROVAL OF ORDINANCE 08-15, A SUPPLEMENT TO THE TOWN OF PONDER CODE OF ORDINANCES.

Mayor Pro-Tem Gorman moved to approve Ordinance 08-15. Motion seconded by Council Member Ashman. Ayes: Council Member Ashman, Council Member Rouse, Council Member Crider, Council Member Wilkinson and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

ITEM 13 DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING A SNOW CONE STAND AT RUBY JEAN'S.

Mayor Vardell stated that Ruby Eddleman would like to put a snow cone stand in the parking lot of her restaurant. He said that she would put the hut by the back door of the restaurant. Council Member Rouse moved to approve. Motion seconded by Council Member Wilkinson. Ayes: Council Member Ashman, Council Member Rouse, Council Member Crider, Council Member Wilkinson and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

ITEM 14 ITEMS TO BE PLACED ON THE NEXT AGENDA.

None.

ITEM 15 ADJOURN.

Council Member Ashman moved to adjourn at 7:40 p.m. Motion seconded by Council Member Wilkinson. Ayes: Council Member Ashman, Council Member Rouse, Council Member Crider, Council Member Wilkinson and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

APPROVED:

Jeff Vardell, Mayor

Date

ATTEST:

Sheri N. Clearman, City Secretary