

**MINUTES OF THE  
TOWN COUNCIL  
MAY 27, 2008**

**ITEM 1 CALL TO ORDER**

Mayor Vardell called the special session to order at 6:30 p.m. on Tuesday, May 15, 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**

No action.

**ITEM 4 MAYOR'S REPORT**

None.

**ITEM 5 CITIZEN INPUT**

None

**ITEM 6 CONSENT AGENDA – APPROVAL OF THE MAY 15, 2008 MINUTES.**

Council Member Ashman moved to approve the May 15, 2008 minutes. Motion seconded by Council Member Crider. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, Council Member Wilkinson and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

**ITEM 7 DISCUSSION, CONSIDER AND POSSIBLE ACTION REGARDING THE APPROVAL OF AN ELECTRIC CONTRACT RATE WITH TXU ENERGY.**

Mayor Pro-Tem Gorman moved to approve a contract rate with TXU to expire in 59 months. Motion seconded by Council Member Ashman. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, 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 ORDINANCE 08-13, RESPONSIBILITY AND LIABILITY FOR SIDEWALK MAINTENANCE AND REPAIR.**

Mayor Pro-Tem Gorman moved to approve Ordinance 08-13 with the following amendments: Section B shall read “All sidewalks and structures erected in the public right of way; and add Section 6 Enforcement that shall read “If the owner shall fail to maintain the sidewalk free from all obstructions and defects as listed above, the Public Works Director may cause the same to be done and may collect the cost thereof from said owners.”; and that this Ordinance be filed under Traffic Code, Chapter 74, Article 74.01 Sidewalks, of the Code of Ordinances. Motion seconded by Council Member Ashman.

Shawn Wilkinson added that the phrase “if necessary” should be added to the end of section 6. Mayor Pro-Tem amended motion to add the phrase. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, Council Member Wilkinson and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

**ITEM 9 DISCUSSION, CONSIDER AND POSSIBLE ACTION REGARDING PLACING POSTS IN THE TOWN OF PONDER ROW FOR MAILBOX USE BY THE RESIDENTS AND BUSINESS OWNERS ON THE NORTH SIDE OF BAILEY STREET BETWEEN HWY 156 AND SHAFFNER STREET.**

Gary Morris reported to the Council that all mailboxes currently in the Town of Ponder are located in the right-of-way and were placed there at the owner’s expense. Georgia Linam stated that the site where the Post Office is requesting she place her mail box is in the town right-of-way. Council Member Gorman stated that all mail boxes are in the town right-of-way. Council Member Wilkinson asked if there was anything in the Subdivision Ordinance that addresses this. Gary Morris replied not that he is aware of. Mayor Pro-Tem Gorman moved to table this item until Sheri Clearman could get more information from the Post Office on placement requirements. Motion seconded by Council Member Wilkinson. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, Council Member Wilkinson and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

**ITEM 10 DISCUSSION REGARDING PERSONNEL ISSUES.**

Tanya Ochoa, Librarian introduced herself to the new Council Members and announced that she had hired Hannah Richard as the new Library Aide.

Sheri Clearman asked that her personnel discussion be addressed in executive session. Mayor Vardell moved this item to the end of the agenda.

**ITEM 11 DISCUSSION, CONSIDER AND POSSIBLE ACTION REGARDING WASTEWATER TREATMENT PLANT ISSUES.**

Gary Morris reported to the Council that the Wastewater Treatment Plant was in need of a bar screen. Mr. Morris went over the WWTP plans and the bids that he had for the purchase of a bar screen. Council Member Wilkinson moved that Gary Morris seek bids for the bar screen contingent upon a favorable opinion from the Town’s financial advisor, John Martin regarding the use of surplus tax certificate funds and to authorize the Mayor to approve the design. Motion seconded by Council Member Ashman. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, Council Member Wilkinson and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

**ITEM 10 cont. DISCUSSION REGARDING PERSONNEL ISSUES**

Council Member Wilkinson moved to adjourn to executive session at 7:05 p.m. Motion seconded by Council Member Ashman. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, Council Member Wilkinson and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

Council Member Wilkinson moved to reconvene in regular session at 7:15 p.m. Motion seconded by Council Member Crider. Ayes: Council Member Ashman, Council Member

Crider, Council Member Rouse, Council Member Wilkinson and Mayor Pro-Tem Gorman.  
Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions

No action taken.

**ITEM 12 ITEMS TO BE PLACED ON THE NEXT AGENDA.**

Mailbox issue, building permit for DCCC and WWTP

**ITEM 13 ADJOURN.**

Council Member Wilkinson moved to adjourn at 7:17 p.m. Motion seconded by Council Member Ashman. Ayes: Council Member Ashman, Council Member Crider, Council Member Rouse, 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