



450 Thunder Head Lane • P.O. Box 1150 • Annetta, Texas 76008 • (817) 441-5770

## City Council Meeting Minutes

The City Council of Annetta met in a regularly scheduled meeting on Thursday, November 21, 2019, at 7:00 p.m. in the Annetta Town Hall at 450 Thunder Head Lane to consider the following agenda:

- I. **Call to order.** Mayor Bruce Pinckard called the meeting to order at 7:00 p.m.
- II. **Pledge of Allegiance/Invocation of Prayer.** Council Member Sandy Roberts led the pledge and Council Member Danny Coffman gave the invocation.
- III. **Roll call/Quorum check.** A quorum check revealed that Mayor Pinckard and Council Members Kent Stasey, Danny Coffman, Jim Causey and Sandy Roberts were all present. Council Member Shane Mudge and City Secretary Jamee Long were absent. Also present was Diana Kotlinski, City Clerk.
- IV. **Public Comments:** Kristin Turner addressed the Council requesting sidewalks along Thunder Head Lane. Ms. Turner's daughter would like to donate her earnings from a lemonade stand to help raise money for sidewalks. Mayor Pinckard stated that staff has inquired about the sidewalk grant but the funding has expired. He stated we would continue to inquire about the grant.
- V. **Consent Items: Reports from City Staff and Commissions or Committees:**
  - a. Consider the approval of Minutes from the Regular City Council Meeting on October 17, 2019 and CCPD Meeting on October 15, 2019.
  - b. Financial Report.
  - c. Public Works Report.

Council Member Stasey moved to accept all consent items, Council Member Coffman seconded the motion, with all aye. Motion passed unanimously.

- VI. **New Business:**
  - a. **Discussion:** Discuss Annetta Park Concept. No action taken.
  - b. **Discussion and Action:** Consider appointment to the Planning and Zoning Commission to Place 3 and vice chairman. Council Member Stasey moved to appoint J. D. Davis to Place 3, Stephen Barron to Alternate

#1, and Lee Ancona to Alternate #2 for the Planning and Zoning Commission, Council Member Coffman seconded the motion, with all aye. Motion passed unanimously.

- c. **Discussion and Action:** Consider authorizing the Mayor, along with the Town's staff, to prepare bidding documents for IT services and computer equipment for Town Hall. Mayor Pinckard stated that the Town's current IT person is retiring and we are in need of new IT services. He stated the Town's attorney is in the process of drafting an RFQ for the purposes of bidding out IT services. Council Member Causey moved to authorize the Mayor, along with the Town's staff, to prepare bidding documents for IT services and computer equipment for Town Hall, Council Member Roberts seconded the motion, with all aye. Motion passed unanimously.
- d. **Discussion and Action:** Discussion regarding the condition of the Meeker Lake dam, and consider authorizing the Mayor to coordinate with third-party consultants and property owners regarding oversight of repairs to the dam. Citizen, Lee Thurman, of 150 Deer Creek Drive addressed the Council. He stated that he is a developer and head of the Deer Creek Lake Owners Association. The property owners have received letters from TCEQ regarding repairs that need to be made to the dam. Mr. Thurman stated that when Doyle Hanley originally developed the neighborhood, he left out a lot that was intended for dam access for repairs and maintenance. At some point in the late 1990s, Mr. Hanley decided to sell the lot. Soon after, the state contacted the property owners to inform them the dam is in poor condition and in need of repairs. At that time, the Deer Creek Lake Owners Association was formed. The Association contacted the owner of the last lot to obtain access to the dam for repairs and were informed they would not allow access to the dam. Mr. Thurman said the property owners then filed a lawsuit to obtain access to the dam and the court awarded in favor of the last lot owner. The costs for the lawsuit were approximately \$170,000. The Association continued to try to purchase the easement but the current owner, Charles Harrison, wanted to build a motorcycle park, which was not received well by the neighborhood. Mr. Thurman discussed the drainage/hydrology study and how this could negatively affect Split Rail if the dam is not repaired. The Association is wanting to repair the dam but needs a permanent easement. He said the State of Texas is mandating all dams pass a "probable maximum flood." The Association is requesting the Town "coerce authorities" into letting the property owners access the dam for repairs. He said if the state breaches the dam this could destroy natural habitat which is another implication. The state is wanting the spillway widened due to the "100 year flood event." Mr. Thurman said this has been on hold due to drought conditions, but is now being pursued by the state. Council Member Roberts asked if the current last lot owner had been approached regarding the access easement. Mr. Thurman said that the Association is talking to her and she seems cooperative. Council Member Coffman asked how many people own the dam. Mr. Thurman said there are 32 lots that border the dam but only 4 owners of the dam. Mr. Thurman said the Association has spent \$80,000 in engineering fees on how the dam should be repaired. He said they would be doing an update on the hydrology study and would share all documents with the Town. Mr. Thurman discussed the Lake Maintenance Agreement which is on file in the deed records with the Parker County Clerk. He said every property owner on the lake is responsible for the maintenance and repairs, but only 24 are willing to assist. Council Member Stasey asked what the state will eventually do if repairs are not made. Mr. Thurman said the state will breach the dam if it is not repaired. Council Member Coffman asked how many of the dam owners are willing to allow access for repairs. Mr. Thurman said two are cooperating, one is with a property management company and the other one is being negotiated with. Mr. Thurman said the dam at Canyon Lake is also in poor condition. Mayor Pinckard stated the lake is privately owned so the Town is limited in how they can assist. Council Member Coffman moved to authorize the Mayor to coordinate with third-party consultants and property owners regarding oversight of repairs to the dam, Council Member Roberts seconded the motion,

with all aye. Motion passed unanimously. Mr. Thurman stated his main concern is for the health and safety of the people if the dam was breached. Mayor Pinckard thanked Mr. Thurman for his presentation.

- e. **Discussion and Action:** Discussion and consider authorizing the Mayor and Town staff to work with third-part consultants to formulate a plan and provide direction to the Planning and Zoning Commission for the rezoning of property within the Town. Any future council action rezoning property must be made by ordinance only after recommendation by the Planning and Zoning Commission and notice and public hearings as required by law. Traci Fambrough, Planning and Zoning Commission Chairman, requested the planning consultant attend a future meeting for a workshop about rezoning the Town. No action taken.

VII. **Old Business:**

- a. **Discussion and Action:** Consider an ordinance regarding the Tri-County Electric franchise fee. Mayor Pinckard stated that Tri-County Electric's attorney is still reviewing the ordinance. No action taken.
- b. **Discussion and Action:** Consider personnel leave policy. Mayor Pinckard stated the Town's attorney has reviewed the policy. He requested the council review prior to the December City Council Meeting. No action taken.
- c. **Discussion and Action:** Remove from the table, discuss and consider action regarding Aron Stewart's water well drilling exception request. Mayor Pinckard stated that Mr. Stewart's attorney has submitted documents to the Town's water engineer, but we have not received a report from Dr. Harkins. No action taken.

VIII. **Executive Session:** As authorized by Chapter 551 of the Texas Government Code, the City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss the following:

- a. § 551.071. The Town Council may meet with its attorney on any matter in which the duty of its attorney under the Texas Disciplinary Rules of Professional Conduct conflict with Chapter 551, Texas Government Code, including discussion of any item posted on the agenda; to seek legal advice regarding the agenda item above regarding Aron Stewart; and seek legal advice on the Upper Trinity Groundwater Conservation District's proposed new rules and effect on Annetta's water supply, water customers and well owners.

IX. **Items of Community Interest.** Mayor Pinckard discussed the Toys for Tots program and thanked the citizens for donations. Council Member Roberts discussed the Aledo football game against Royse City on Friday night.

X. **Adjournment:** With no further business before the council, the Mayor adjourned the meeting at 8:08 p.m.

*These minutes were approved on the 19<sup>th</sup> day of December, 2019.*

  
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Jamee Long, City Secretary



  
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Bruce Pinckard, Mayor