

## **TOLAR CITY COUNCIL MINUTES –APRIL 21, 2008 – REGULAR MEETING**

The City of Tolar Council met on April 21, 2008 at 7:00 P.M.

Present: Terry Johnson, Mayor  
Matt Hutsell  
Lindsay Morgan  
Barbara Gilliam  
Charlotte Mabery

Absent: Charles Carroll, Mayor Pro Tem

City Staff Present: Joyce Johnson, City Secretary  
Mike Allen, Chief of Police  
Rena Lovell, Assistant City Secretary

Citizens Present: Dale & Becky Sparks  
Fred & Sally Grimes  
Scott & Michelle Knapp  
Michael Meyers  
Jack D'Amario  
Gerald Finn  
John & Linda Miller  
Berna Carr  
Loren Wilson  
Christa Hoffman

### **CALL TO ORDER**

A quorum was established and the meeting was called to order at 7:00 P.M.

### **ROLL CALL**

Matt Hutsell, Charles Carroll, Lindsay Morgan, Barbara Gilliam, and Charlotte Mabery were present.

### **EXECUTIVE SESSION**

Receive confidential advice from city attorney  
Council entered into executive session at 7:01 p.m. Executive session ended at 8:05 p.m.

### **ACTION ON ITEMS TAKEN UP IN EXECUTIVE SESSION**

None

### **CITIZENS APPEARANCE**

Jack D'Amario addressed the council concerning the condition of Oak St. Pictures of Oak Street were provided to council.

### **APPROVAL OF MINUTES**

A. 03-17-2008 Regular meeting

Motion by Lindsay Morgan second by Matt Hutsell to approve minutes as presented.  
Motion carried 5-0

### **PRESENTATION BY CITIZENS**

A. Dale Sparks, Becky Sparks and Sally Grimes concerning the Knapp project

Mr. Sparks addressed council concerning development. He has no problem with development being done in and around the city. He knows that you can not stop it but you can stop development that is bad for the city and its residents. He is concerned with the current development and the way city has handled this situation and the information and lack of information that has been given out. Concerns that were mentioned were sewer plant capacity, flooding, crime, decrease of property values, cost of upkeep that it would cost the residents and the city in years to come. The development is out of place, the style and development could not be found in residential areas in Texas, with the exception of the Midland-Odessa area. Mr. Sparks mentioned he has been in contact with legal counsel and was assured that there is merit in a law suit that he and a group of citizens could file against the city for due diligence, if the city did not do its responsibility and look at what the citizens want, what the city needs, what it will cost the city and if it would cause flooding.

**ITEMS FROM COUNCIL**

None

**NEW BUSINESS**

A. Discuss and consider revised concept plan for Knapp Addition located on Tolar Cemetery Rd.

Mr. Knapp stated that there were no revisions to his plan; he was here for approval of the preliminary plat. Architect is working on the plan. Matt Hutsell addressed the concern that council had with the entry egress and ingress problems and getting emergency vehicles in and out. Matt Hutsell mentioned possible cul-de-sac or multiple entries. Before concept plan is submitted he needs to look at the sub division ordinance and make sure he meets the requirements. City Attorney David Dodd informed council that there was a 45 day time frame to approve or not approve plan unless Mr. Knapp agreed to continue concept plan until next meeting. Mr. Knapp agreed to the continuance.

Motion by Matt Hutsell second by Charles Carroll to continue concept plan to next meeting.  
Motion carried 5-0

B. Discuss and consider approval of preliminary plat Lot 1 and Lot 2 in Block 1 of the Knapp Addition located on Tolar Cemetery Rd.

No changes were needed on the preliminary plat.

Motion by Matt Hutsell second by Barbara Gilliam to approve preliminary plat.

Motion carried 5-0

C. Approve resolution from First National Bank (city's depository bank) substituting pledged securities that will mature on June 01, 2008.

Motion by Matt Hutsell, second by Barbara Gilliam to approve resolution.

Motion carried 5-0

**OLD BUSINESS**

A. Discuss and take necessary action for the JD Neely Community Center

Fish fry fund raiser brought in \$ 5439.39 dollars. Mayor Johnson informed council that fifteen more tons of AC units will be needed. Mayor Johnson will speak to Hood County to see if there are any additional AC units that they can donate. Load calculations will be needed in order to

start electrical installation. Electrical services will be donated through a company located in Fort Worth. Wire has been donated from several electrical contractors. Suggestions for future fund raisers included, a Sunday lunch after church that could be held at the high school and bingo at the fire hall.

**STAFF REPORTS**

A. Police Report

Written and verbal report was provided to council by Chief Allen.  
Motion by Barbara Gilliam second by Charlotte Mabery to approve police report.  
Motion carried 5-0

B. Court Report

Written and verbal report was provided to council by Renae Lovell.  
Motion by Barbara Gilliam second by Charles Carroll to approve court report.  
Motion carried 5-0

C. Approve bank reconciliations, bills and financial statement

Motion by Matt Hutsell second by Lindsay Morgan to approve bank reconciliations, bills and financial statement.  
Motion carried 5-0

D. Administrative Report

Discussion was held concerning items to be placed on the agenda and deadline for items to be placed on agenda. City has ordinance in place that needs to be followed. It will also be noted on the agenda and posted in city hall.

**ANNOUNCEMENTS**

Regular meeting May 19, 2008 @ 7:00 p.m. and council was also reminded of ordinance workshop on May 05<sup>th</sup> at 5:00 p.m.

**ADJOURN**

Motion by Barbara Gilliam second by Charlotte Mabery to adjourn meeting at 8:53 p.m.  
Motion carried 5-0

**APPROVED:**

\_\_\_\_\_  
Terry Johnson, Mayor

**ATTEST:**

\_\_\_\_\_  
Joyce Johnson, City Secretary