

**CITY OF LAKE WORTH**  
**Minutes for**  
**Joint Meeting of the**  
**City Council and**  
**Planning and Zoning Commission**  
**Tuesday, April 8, 2008**  
**3801 Adam Grubb • Lake Worth, Texas**  
**6:30 P.M. – Council Chambers**

**1. Call to Order City Council and Planning and Zoning (P&Z) Commission.**

Mayor Walter Bowen called the City Council Meeting to order at 6:31 p.m. Chairman Earl Fowlkes called the Planning and Zoning Commission to order at 6:31 p.m.

**2. Invocation and Pledge of Allegiance.**

Dr. Jerry Locke gave invocation and attendees recited the pledge of allegiance.

**3. Roll Call for City Council and P&Z Commission.**

Council members present were Mayor Walter Bowen, Eugene Brooks, Myrt Fowlkes, Ronny Parsley, Dona Stuard, Curtis McKay, Geoffrey White, and Clint Narmore. All Council members were present.

P&Z members present were Chairman Earl Fowlkes, Pat O. Hill, Jeannie Turley, Troy Jones, Herbert Reeves, Denton Brooks, and Phylis Hatley. All P&Z members were present.

Staff present were Joey Highfill, City Manager; Linda Rhodes, City Secretary; Jami Woodall, EDC Coordinator; Suzanne Meason, Planning and Zoning Administrator; Brett McGuire, Police Chief; and Jamye Sexton, Director of Public Works. City Attorney Wayne Olson and City Engineer Aaron Rader were present.

**4. Council Consent Agenda:**

- a. Approval of minutes for the City Council Public Hearing/Regular meeting on March 11, 2008.**

- b. Approval of minutes for the City Council/EDC Joint meeting on March 20, 2008.
- c. Approval of Finance Reports for the month of March 2008.
- d. Resolution #873- Supporting a Municipal Setting Designation (MSD) application to the Texas Commission on Environmental Quality (TCEQ) as requested by Museum Place Holdings, LLC for property consisting of seven city blocks in the City of Fort Worth.

Clint Narmore made a motion, seconded by Ronny Parsley, to approve the Council consent agenda. Motion passed with all in favor and none opposed.

#### **5. P&Z Commission Consent Agenda:**

- a. Approval of minutes for the P&Z Commission Public Hearing/Regular meeting on March 18, 2008.

Pat Hill made a motion, seconded by Troy Jones, to approve the P&Z consent agenda. Motion passed with all in favor and none opposed.

#### **6. Council Presentations:**

- a. Proclamations/Awards/Presentations.

*There were no Proclamations/Awards/Presentations Items.*

- b. Citizen/Visitor Comments.

A citizen/visitor request to make a presentation on a specific matter of special public interest must be posted 72 hours prior to the City Council meeting. If it is not posted, no deliberation between council members may occur. The council may only respond with specific factual information or recite existing policy. Any deliberation of or decision about the subject of the inquiry is limited to placing the subject on the agenda for a future meeting.

*There were no Citizen/Visitor Comments.*

#### **7. Council (Only) Public Hearing/Action Items:**

*Mayor Bowen opened the Council Public Hearing for this item at 6:34 p.m. and closed it at 6:38 p.m.*

- a. Public Hearing/Action to consider Ordinance #880, P&Z Case #PZ07-15, the request of Winkleman & Associates for Canyon Lake Worth Prop, LP for the use and operation of a retail center on Block 1, Lot 9, Ritchie Brothers Addition, Lake Worth, Tarrant County, Texas, commonly known as 6076 Azle Avenue.

Suzanne Meason explained that this case has already been heard by the Planning and Zoning Commission on March 18, 2008. They

recommend approval with the requested monument sign variance. Winkelmann & Associates is asking for a variance from the 20' setback requirement to the setback from the driveway to be five feet (5'), the setback from the two (2) parking spaces on the west to be three feet (3'), the setback from the twenty-two (22) parking stall on the east to be five feet (5'), and the setback from the property line to be eighteen feet (18'). Maria Bonilla, representative for Winkelmann & Associates for Canyon Lake Worth Prop, was present for any questions. There were no other persons present wishing to speak on this public hearing item.

Myrt Fowlkes made a motion, seconded by Eugene Brooks, to approve Ordinance #880, Case #PZ07-15, the request of Winkelmann & Associates for Canyon Lake Worth Prop, for the use and operation of a retail center on Block 1, Lot 9, Ritchie Brothers Addition, property known as 6076 Azle Avenue, with the requested variance on the monument sign setbacks from the required twenty foot (20') setback, to the setback from the driveway to be five feet (5'), the setback from the two (2) parking spaces on the west to be three feet (3'), the setback from the twenty-two (22) parking stall on the east to be five feet (5'), and the setback from the property line to be eighteen (18'). Motion passed with all in favor and none opposed.

#### **8. Council and P&Z Public Hearing/Action Items:**

*Chairman Earl Fowlkes opened the P&Z Public Hearing for this item at 6:39 p.m. and closed it at 6:40 p.m.*

*Mayor Bowen opened the Council Public Hearing for this item at 6:39 p.m. and closed it at 6:41 p.m.*

- a. **Public Hearing/Action to consider P&Z Case #PS08-01, the request by John B. Ross for a replat of Block 16, Lots 7, 8, and 9, Indian Oaks Subdivision, Lake Worth, Tarrant County, Texas to Block 16, Lot 7R, Indian Oaks Subdivision, Lake Worth, Tarrant County, Texas, commonly known as 3132 Pueblo Trail.**

Suzanne Meason explained that John Ross wants to replat his property and the replat plan conforms to all city requirements. Paul Ward, surveyor for Mr. Ross, was present to answer any questions. There were no other persons present wishing to speak on this public hearing item. P&Z Chairman Earl Fowlkes noted that staff recommends approval of the request.

For the P&Z, Troy Jones made a motion, seconded by Jeannie Turley, to approve P&Z Case #PS08-01 to replat Block 16, Lots 7, 8, and 9, Indian Oaks Subdivision to Block 16, Lot 7R, Indian Oaks Subdivision, known as 3132 Pueblo Trail, as requested by John B. Ross. Motion passed with all in favor and none opposed.

For the Council, Myrt Fowlkes made a motion, seconded by Dona Stuard, to approve P&Z Case #PS08-01 to replat Block 16, Lots 7, 8, and 9, Indian Oaks Subdivision to Block 16, Lot 7R, Indian Oaks Subdivision, known as 3132 Pueblo Trail, as requested by John B. Ross. Motion passed with all in favor and none opposed.

*Chairman Earl Fowlkes opened the P&Z Public Hearing for this item at 6:41 p.m. and closed it at 6:47 p.m.*

*Mayor Bowen opened the Council Public Hearing for this item at 6:41 p.m. and closed it at 6:48 p.m.*

**b. Public Hearing/Action to consider Ordinance #881, P&Z Case #PZ08-01, the request of the City of Lake Worth to consider a Historical Landmark Ordinance.**

Suzanne Meason explained that this ordinance has been approved by the Historical Preservation Commission and now needs to be approved by the P&Z and Council. Chairman Earl Fowlkes explained that this ordinance is strictly voluntary for property owners to apply for their property to be designated as a historical landmark. Howard Williams, of 3334 Huron Trail, addressed the P&Z and said they were trying to go around Council and bring back something that they have already disapproved once. Pat Hill explained that this ordinance is totally different than the proposed Historical District Overlay ordinance that was previously denied. Applying for a Historical Landmark is strictly on a voluntary basis and applies to property within the whole city. Mr. Williams indicated he felt it was the same thing; it was just a way for people to get around up-keeping their property. There were no other persons wishing to speak on this public hearing item. Chairman Fowlkes reminded everyone again that this was a strictly voluntary process by the property owner.

For the P&Z, Pat Hill made a motion, seconded by Herb Reeves, to approve P&Z Case #PZ08-01 for a Historical Landmark Ordinance. Motion passed with all in favor and none opposed.

Clint Narmore asked for clarification in the approval process and tax incentives sections of the ordinance. Joey Highfill explained that the nomination of the property must go before the HPC, then P&Z, and then the Council for consideration of approval. Wayne Olson noted that the way the ordinance is written, the owner has the option to remove the Historical Landmark designation. Suzanne Meason said the property is not limited to have a structure on it; it could even just be a vacant piece of property, with no building/dwelling on it at all.

For the Council, Dona Stuard made a motion, seconded by Myrt Fowlkes, to approve Ordinance #881, for P&Z Case #PZ08-01, for a Historical Landmark Ordinance. Voting in favor of the motion were Dona Stuard, Myrt Fowlkes, Eugene Brooks, Ronny Parsley, Curtis McKay, and Geoffrey White. Voting against the motion was Clint Narmore. Motion passed with a 6-1 vote.

#### **9. Council Ordinances and Resolutions.**

- a. **Resolution #874- Sale of Real Property struck off for delinquent taxes for Lots 34 through 37, Block C, of the Sansom Park Addition, commonly known as 3300 Roberts Cut Off Road.**

Joey Highfill explained that the City of Sansom Park wants to purchase this property for back taxes owed on it. Total taxes owed are \$55,313.59; City of Lake Worth's portion being \$1,500.00.

Dona Stuard made a motion, seconded by Eugene Brooks, to approve Resolution #874, sale of real property struck off for delinquent taxes for lots 34 through 37, Block C, of the Sansom Park Addition, commonly known as 3300 Roberts Cut Off. Motion passed with all in favor and none opposed.

#### **10. Council Contracts and Agreements.**

*There were no Council Contracts and Agreements Items.*

#### **11. Council Bids, Proposals, and Specifications.**

*There were no Council Bids, Proposals, and Specifications Items.*

## **12. Council and P&Z Commission Discussion/Action Items.**

### **a. Discussion/Action concerning the approval of a development concept plan for the new Tarrant County Sub-Courthouse project.**

Joey Highfill said that Tarrant County wants to get a feel if the P&Z and Council are in favor of their proposed development concept plan for a new sub-courthouse project before they go any further with their plans. Michael Barnard with LBL Architects addressed Council and the P&Z Commission regarding the project. He explained that Tarrant County wishes to replace the existing sub-courthouse building with a 3 story one. In doing this, they fall short of the parking requirements. They want to know if the city would have a problem granting a variance for the parking shortage. Tarrant County does not want to take adjacent property for parking; they would rather be able to get a waiver from the city. Dona Stuard was offended in how they worded taking of property. Discussions took place on alternatives for the parking. Chairman Fowlkes reminded everyone this is a conceptual plan only.

For the P&Z, Herb Reeves made a motion, seconded by Denton Brooks, to approve the development concept plan for the new Tarrant County Sub-Courthouse Project as presented. Motion passed with all in favor and none opposed.

For Council, Eugene Brooks made a motion, seconded by Clint Narmore, to approve the development concept plan for the new Tarrant County Sub-Courthouse Project as presented. Voting in favor of the motion were Eugene Brooks, Clint Narmore, Myrt Fowlkes, Ronny Parsley, Curtis McKay, and Geoffrey White. Voting against the motion was Dona Stuard. Motion passed with a 6-1 vote.

### **b. Discussion/Action regarding the 60<sup>th</sup> Anniversary of the Incorporation of the City of Lake Worth (Council item only.)**

Joey Highfill noted that next February would mark the 60<sup>th</sup> anniversary for the City of Lake Worth. He did not think that a celebration took place for the 50<sup>th</sup> anniversary and thought it would be nice to have something special planned for the 60<sup>th</sup>. Funds could be budgeted for the next fiscal year, but planning could actually begin

before then. Mayor Bowen confirmed there was nothing done for the 50<sup>th</sup>; he indicated he was also in favor of doing something for the 60<sup>th</sup>.

Eugene Brooks made a motion, seconded by Dona Stuard, to approve moving forward with plans for a 60<sup>th</sup> Anniversary Celebration. Motion passed with all in favor and none opposed.

### **13. Adjourn P&Z Commission.**

There being no further business for the P&Z, Chairman Earl Fowlkes closed the P&Z portion of the meeting at 7:24 p.m.

### **14. Mayor and Council Items.**

Mayor Bowen reported that funds for the 34<sup>th</sup> year CDBG project were available. A listing was passed out with amounts funded for each city. He also noted that a local LWISD student recently was one of 40 finalist of a state art contest.

### **15. City Manager and Staff Reports.**

Joey Highfill reported that there would be a Council Budget Workshop scheduled in the next couple of weeks, probably on Tuesday, April 22, 2008. The Mayor reminded everyone of the Joint Council/LWISD meeting next Monday, April 14, 2008, at the Spring Creek BBQ at 6:30 p.m. Dona Stuard acknowledged the CERT class in the fall. Jami Woodall informed Council the next EDC meeting would be on Thursday, May 8, 2008. Suzanne Meason said she would be going out on maternity leave in May and that Jami Woodall would be handling her department and meetings in her absence.

*There was no Executive Session.*

### **16. Executive Session.**

**Pursuant to the Texas Open Meeting Act, Chapter 551, Texas Government Code, the City Council reserves the right to convene in executive session as necessary during this meeting to discuss the following:**

- a. Pursuant to Section 551.071- Consultation with attorney with regard to any item posted on the agenda or pending or contemplated litigation.**
- b. Pursuant to Section 551.072- Deliberate the purchase, exchange, lease or value of real property.**

- c. Pursuant to Section 551.074- Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

**17. Reconvene into Regular Session:**

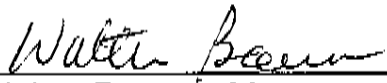
- a. Take any action necessary pursuant to Executive Session Items as listed above.

*There was no action due to no Executive Session Items.*

**18. Adjourn City Council.**

There being no further discussion for Council, Mayor Walter Bowen closed the City Council portion of the meeting at 7:34 p.m.

APPROVED:

  
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Walter Bowen, Mayor

ATTEST:

  
\_\_\_\_\_  
Linda Rhodes, TRMC/CMC  
City Secretary