

**CITY OF LAKE WORTH
Minutes for
City Council
Public Hearing/Regular Meeting
Tuesday, August 12, 2008
3801 Adam Grubb • Lake Worth, Texas
6:30 P.M. – Council Chambers**

1. Call to Order.

Mayor Walter Bowen called the City Council Meeting to order at 6:35 p.m.

2. Invocation and Pledge of Allegiance.

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

3. Roll Call.

Council members present were Mayor Walter Bowen, Eugene Brooks, Myrt Fowlkes, Perry Lunsford, Dona Stuard, Pat O. Hill, Geoffrey White, and Clint Narmore.

Staff present were Vicki Mikel, Acting City Manager/Director of Finance; Linda Rhodes, City Secretary; Brett McGuire, Police Chief; Jami Woodall, EDC Coordinator; Suzanne Meason, Planning and Zoning Administrator; Jamye Sexton, Public Works Director; Mark Cone, Fire Chief; Mark Ramsey, IT Manager; Cheryl Vess, Community Activities Director; Barry Barber, Building Official; and Danielle Hackbusch, HR/Risk Management. City Attorney Cara White and City Engineer Jeff James were present.

4. Consent Agenda:

- a. **Approval of minutes for the City Council Public Hearing/Regular Meeting on July 8, 2008.**
- b. **Approval of minutes for the City Council Workshop/Special Meeting on July 22, 2008.**
- c. **Approval of minutes for the City Council Special Meeting on July 28, 2008.**

- d. **Approval of Finance Reports for the month of July 2008.**
- e. **Approval of Ordinance #887-Authorizing Publication of Notice of Intention to Issue City of Lake Worth, Texas Certificates of Obligation, Series 2008.**
- f. **Approval of Resolution #883-Reimbursement Resolution of the City Council of the City of Lake Worth, Texas regarding the Reimbursement of Certain Expenses from the Proceeds of Tax Exempt Obligations.**
- g. **Approval of Resolution #884-Authorizing Continued Participation with the Atmos Cities Steering Committee Participation Agreement and Participation Fee.**
- h. **Approval of Ordinance #888-Calling/Ordering the November 4, 2008 Special Election for the Purpose of Amending the City Charter.**

Geoffrey White made a motion, seconded by Eugene Brooks, to approve the Consent Agenda. Motion passed with all in favor and none opposed.

5. Presentations:

a. Proclamations/Awards/Presentations.

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 Presentation Items.

6. Public Hearing/Action Items:

Mayor Bowen opened the Public Hearing at 6:40 p.m. and closed it at 6:41 p.m.

a. Public Hearing/Action regarding Crime Control and Prevention District (CCPD) Budget for FY 2008/2009.

There were no persons wishing to speak on this Public Hearing item; therefore, Dona Stuard made a motion to approve Option C of the CCPD Budget for FY 2008/2009 as recommended by the CCPD Board. Geoffrey White seconded the motion. Motion passed with all in favor and none opposed.

Mayor Bowen opened the Public Hearing at 6:42 p.m. and closed it at 6:45 p.m.

- b. Public Hearing/Action for substandard property located at 3224 Pueblo Trail, legal description being Block 16, Lot 1, Indian Oaks Subdivision, Case #2008-02, as continued from the July 8, 2008 City Council meeting.**

John Piercy, owner of the property, addressed Council and requested 90 days opposed to 30 to make repairs at the property. Eugene Brooks asked if the work could be done in 90 days; Barry Barber stated that it could as long as the work was contracted out.

There were no other persons in the audience wishing to speak on this item.

Pat O. Hill made a motion, seconded by Eugene Brooks, to issue a 90-day Repair/Demolition Order for the substandard property located at 3224 Pueblo Trail, legal description being Block 16, Lot 1, Indian Oaks Subdivision, Case #2008-02. Motion passed with all in favor and none opposed.

Mayor Bowen opened the Public Hearing at 6:46 p.m. and closed it at 6:47 p.m.

- c. Public Hearing/Action for substandard property located at 3009 Shawnee Trail, legal description being Block 27, Lot 21, Indian Oaks Subdivision, Case #2008-03, as continued from the July 8, 2008 City Council meeting.**

Barry Barber reminded Council that the owners, Mr. and Mrs. Stum, had requested a continuance last month on this item in order to allow time to go before the Zoning Board of Adjustments to first seek a variance. The variance was denied; the Stum's were not present at this Council meeting and Barry has not heard from them.

There were no other persons in the audience wishing to speak on this item.

Eugene Brooks made a motion, seconded by Perry Lunsford, to issue a 30-day Repair/Demolition Order for substandard property located at 3009 Shawnee Trail, legal description being Block 27, Lot 21, Indian Oaks Subdivision, Case #2008-03. Motion passed with all in favor and none opposed.

Mayor Bowen opened the Public Hearing at 6:48 p.m. and closed it at 6:49 p.m.

- d. Public Hearing/Action for to consider Planning & Zoning Case #PS08-03, request by the City of Lake Worth for a preliminary/final plat of Tracts 2N, 2V1, 2V, 2Yy1, 2yy, 2V2, & 2Kkkk02 of the Moses Townsend Survey, Abstract 1552, Lake Worth, Tarrant County, Texas to Block 1, Lot 1, Charbonneau Addition, Lake Worth, Tarrant County, Texas, properties known as 7001-7009 Charbonneau Road.**

Jami Woodall noted this was the Black property that the City purchased for future City facilities. The request meets all City requirements and is recommended for approval by the Planning and Zoning Commission.

There were no other persons in the audience wishing to speak on this item.

Clint Narmore made a motion, seconded by Geoffrey White, to approve Planning & Zoning Case #PS08-03 for a preliminary/final plat of Tracts 2N, 2V1, 2V, 2Yy1, 2yy, 2V2, & 2Kkkk02 of the Moses Townsend Survey, Abstract 1552, to Block 1, Lot 1, Charbonneau Addition, properties known as 7001-7009 Charbonneau Road. Motion passed with all in favor and none opposed.

Mayor Bowen opened the Public Hearing at 6:49 p.m. and closed it at 6:51 p.m.

- e. Public Hearing/Action to consider Planning & Zoning Case #PS08-04, request by the City of Lake Worth for a re-plat of Block 33, Lots 12, 13, & 14, Indian Oaks Subdivision, Lake Worth, Tarrant County, Texas to Block 33, Lot 14R, Indian Oaks Subdivision, Lake Worth, Tarrant County, Texas properties known as 7205, 7213, & 7217 Comanche Trail.**

Jami Woodall explained that this City property needs to be re-platted. It meets all City requirements and is recommended for approval by the Planning and Zoning Commission. Staff only received one written comment, from Pat Hill, and it was in favor of the request.

There were no persons in the audience wishing to speak on this item.

Geoffrey White made a motion, seconded by Clint Narmore, to approve Planning & Zoning Case #PS08-04 for a re-plat of Block 33, Lots 12, 13, & 14, Indian Oaks Subdivision to Block 33, Lot 14R, Indian Oaks Subdivision, property known as 7205, 7213, & 7217 Comanche Trail. Motion passed with all in favor and none opposed.

Mayor Bowen opened the Public Hearing at 6:52 p.m. and closed it at 6:53 p.m.

- f. Public Hearing/Action to consider Planning & Zoning Case #PZ08-06, Ordinance #889, request by Firebrand Properties, LP for an amendment to Ordinance #878 for the relocation of a pole sign and parking lot lights at 6625 Lake Worth Blvd, legal description being Block 1, Lot 1, Firebrand Addition for the use and operation of a restaurant (Burger King).**

Perry Lunsford made a motion, seconded by Dona Stuard, to approve Planning & Zoning Case #PZ08-06, Ordinance #889, request by Firebrand Properties, LP for an amendment to Ordinance #878 for the relocation of a pole sign and parking lot lights at 6625 Lake Worth Blvd, legal description being Block 1, Lot 1, Firebrand Addition for the use and operation of a Burger King restaurant. Motion passed with all in favor and none opposed.

7. Ordinances and Resolutions.

- a. Resolution #885- Requesting Legislation to Grant Local Oversight of Intra-State Gas Utilities.**

Dona Stuard made a motion, seconded by Clint Narmore, to approve Resolution #885, requesting legislation to grant local oversight of intra-state utilities. Motion passed with all in favor and none opposed.

8. Contracts and Agreements.

There were no Contracts and Agreements.

9. Bids, Proposals, and Specifications.

There were no Bids, Proposals, and Specifications.

10. Discussion/Action Items.

There were no Discussion/Action Items.

11. Mayor and Council Items.

Mayor Bowen noted there will be a Small Cities Problem Solving Clinic on September 26, 2008 in Decatur for any Council member wishing to attend.

12. Acting City Manager and Staff Reports:

a. Acting City Manager Reports.

Vicki Mikel welcomed Suzanne Meason back from maternity leave. There will be a Budget Workshop meeting this Saturday and a Workshop meeting on August 21, 2008 regarding the Senior Citizen's Center facility. Budget workbooks are scheduled to go out later this week. The TML Conference will be held on October 29-31. Council wishing to attend need to RSVP as soon as possible.

b. Staff Reports.

Suzanne Meason said she is now taking applications/re-applications for expiring terms for the Planning and Zoning Commission, Zoning Board of Adjustments, and Historical Preservation Commission member positions.

Barry Barber updated Council regarding substandard property at 3908 Mohawk Trail. He has heard no word from the property owner. He is going out for bids for the demolition at 2921 Mohawk Trail.

Jamye Sexton said the county should begin asphalt work on Shawnee Trail tomorrow.

Mark Ramsey noted that he is in the process of re-designing the city's website. He is open to suggestions.

Mark Cone indicated there are traffic light controllers being installed.

Mayor Bowen closed the open session of the meeting at 7:08 p.m. and opened the Executive Session to discuss items listed pursuant to Sections 551.071 and 551.074.

13. 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.

1. *Atkins Brothers Equipment Company, Inc. v. Tarrant County, Texas (Cause No. 348-231566-08).*

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

1. City Manager.

Mayor Bowen closed the Executive Session and reconvened into Open Session at 8:33 p.m.

14. Reconvene into Regular Session:

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


Perry Lunsford made a motion, seconded by Clint Narmore, to authorize staff to proceed as discussed in Executive Session regarding Atkins Brothers Equipment Company. Motion passed with all in favor and none opposed.

Geoffrey White made a motion, seconded by Eugene Brooks, to authorize the City Attorney to proceed as discussed in Executive Session regarding the City Manager. Motion passed with all in favor and none opposed.

15. Adjournment.

There being no further business, Mayor Walter Bowen closed the City Council meeting at 8:35 p.m.

APPROVED:



 Walter Bowen, Mayor

ATTEST:



 Linda Rhodes, TRMC/CMC
 City Secretary