

CITY OF LAKE WORTH
Minutes for
City Council Public Hearing/Regular Meeting
Tuesday, March 9, 2010
3801 Adam Grubb • Lake Worth, Texas
6:30 P.M. – Council Chambers

1. Call to Order.

Mayor Walter Bowen called the Council meeting to order at 6:30 p.m.

2. Invocation and Pledge of Allegiance.

Dr. Jerry Locke gave invocation. Attendees recited the pledge of allegiance.

3. Roll Call.

Council members present were Mayor Walter Bowen, Myrt Fowlkes, Perry Lunsford, Pat O. Hill, Geoffrey White, and Clint Narmore. Curtis McKay arrived during Consent Agenda. Dona Stuard was absent.

Staff present were Brett McGuire, City Manager; Ken West, Assistant; John Pringle, Police Captain; Mike Voorhies, Fire Marshall/EMC; Jami Woodall, EDC Coordinator; Suzanne Meason, Planning and Zoning Coordinator; Debbie Whitley, Director of Finance; Barry Barber, Building Official; Natacha Schwarz, Municipal Court Coordinator; Lara Strother, Library Director; and Cheryl Vess, Community Activities Director. City Attorney Wayne Olson and City Engineer Aaron Rader were present.

4. Consent Agenda:

- a. **Approval of minutes for the Joint City Council/LWISD Special meeting on February 8, 2010.**
- b. **Approval of minutes for the City Council Public Hearing/Regular meeting on February 9, 2010.**
- c. **Approval of Finance Reports for the month of February 2010.**

Geoffrey White made a motion, seconded by Perry Lunsford, to approve the Consent Agenda. Motion passed with all that were present voting in favor and none opposed.

5. Presentations:**a. Proclamations/Awards/Presentations.****1. Proclamation presented for *Poison Prevention Week*.**

Mayor Bowen acknowledged the week of March 14-20, 2010 as *Poison Prevention Week*. No one was present to receive the proclamation in person.

b. Citizen/Visitor Comments.**1. Introduction of and presentation by Robert Early, John Peter Smith President/CEO.**

Robert Early, JPS President and CEO introduced himself to Council and invited them to come tour the facilities, which is now a trauma level one facility.

6. Public Hearing/Action Items.

- a. **Public Hearing/Action to consider Planning & Zoning Case #PS09-05, the request of Highway 199 & Charbonneau Partners Ltd. for a replat of Block A, Lot 4, Lake Worth Retail No. 2, Lake Worth, Tarrant County, Texas to Block A, Lots 4A and 4B, Lake Worth Retail No. 2, Lake Worth, Tarrant County, Texas, property commonly known as 6531 Lake Worth Blvd. (Lot 4A) and 6527 Lake Worth Blvd. (Lot 4B).**

Suzanne Meason announced that the applicant has withdrawn his application for replat; therefore, no action was needed. No public hearing was necessary.

- b. **Public Hearing/Action to consider Ordinance #939 for Planning & Zoning Case #PZ09-16, the request of The Ratliff Group (for Highway 199 & Charbonneau Partners, Ltd.) for the use and operation of a Restaurant (Kentucky Fried Chicken) and a combined development/site plan within the PC-Planned Commercial zoning classification on Block A, Lot 4A, Lake worth Retail No. 2, Lake Worth, Tarrant County, Texas property commonly known as 6531 Lake Worth Blvd.**

Suzanne Meason announced that the applicant has withdrawn his application for land use; therefore, no action was needed. No public hearing was necessary.

7. Ordinances/Resolutions:

There were no Ordinances/Resolutions Items.

8. Contracts/Agreements.

- a. **Consider approval of an Interlocal Agreement for Fire Services between the City of Fort Worth and the City of Lake Worth.**

Mike Voorhies explained that this was just a basic agreement with the City of Fort Worth to assist in calls, when needed. Each city is responsible for its own personnel. Brett McGuire noted the agreement had been reviewed by the City Attorney. Curtis McKay asked if the City of Lake Worth would be tied into paying for retirement, as has occurred in the past. Wayne Olson stated they would not be responsible for that.

Perry Lunsford made a motion, seconded by Clint Narmore, to approve the Interlocal agreement for fire services with the City of Fort Worth. Motion passed with all that were present voting in favor and none opposed.

9. Bids, Proposals, and Specifications.

There were no Bids, Proposals, and Specifications Items.

10. Discussion/Action Items:

- a. **Approval of 3.92% rate increase in Residential and Commercial Solid Waste Service.**

Brett McGuire explained that IESI is requesting a 3.92% increase in the residential and commercial solid waste service, as provided by contract. Norm Bulaich, IESI Municipal Manager, and Paul Hansen, IESI District Manager, were present at the meeting. Norm explained that landfill rates have increased thus the requested rate increase. Geoffrey White asked for clarification on the residential rates. Brett explained that the increase also includes the 2.5% administrative fee.

Myrt Fowlkes made a motion, seconded by Geoffrey White, to approve the 3.92% rate increase for residential and commercial solid waste service to be effective on the April 2010 billing. Motion passed with all that were present voting in favor and none opposed.

Mayor Walter Bowen announced that, pursuant to the Texas Open Meeting Act, Chapter 551, Texas Government Code, the City Council reserves the right to convene into executive session as necessary during this meeting. Therefore, pursuant to Section 551.071, consultation with attorney in regard to any agenda item posted on the agenda, Mayor Bowen closed the open session of the meeting to go into Executive Session at 6:48 p.m.

Mayor Walter Bowen closed the Executive Session of the meeting and reconvened into open session at 7:24 p.m.

b. Consideration of a reimbursement request from the Lake Worth First Baptist Church.

Tim Dahl, with the First Baptist Church of Lake Worth, addressed Council. He acknowledged that it was their understanding that there is no requirement on the part of the City of Lake Worth to accept the request for the reimbursement. Clint Narmore noted that the city appreciates the church allowing the Senior Citizens to use the facility. He asked if they would consider allowing them to continue to use the facility at the current rates until the new building is complete. Mr. Dahl stated that they will need to ask for an increase due to increased utility costs.

Clint Narmore made a motion, seconded by Pat Hill, to authorize payment of \$1,589.19 to First Baptist Church of Lake Worth for the difference in depreciated value with the condition that the Senior Citizens be allowed to continue to meet there, until the new building is complete, under the same contract and at same pricing agreed to in the past and to authorize Brett McGuire, City Manager, to draw up legal agreement/release to get this resolved. Voting in favor of the motion were Clint Narmore, Pat Hill, Curtis McKay, Perry Lunsford, and Geoffrey White. No one voted against. Myrt Fowlkes abstained. Motion passed with a 5-0-1 vote.

c. Consideration of the Traffic-Calming Committee Report and Recommendation.

Perry Lunsford stated the committee met to discuss different options to help calm the traffic and make the streets safer for Hodgkins Road (and others). Recommendation is to stripe and narrow the road and to re-visit this subject again in six months to see where the city stands financially, see if the traffic has slowed down at all, and try to do something more permanent at that time, if needed. Aaron Rader explained the stripping that would be used.

Perry Lunsford made a motion, seconded by Geoffrey White, to approve the committee's recommendation to stripe the road accordingly and to re-visit the subject again in six months. Motion passed with all that were present voting in favor and none opposed.

11. Mayor and Council Items.

a. Update on Tarrant County Mayor's Council by Mayor Bowen.

Mayor Bowen noted the ranking committee met and Lake Worth was ranked in the second quadrant. Funds are getting harder to obtain due to qualifications; infrastructure is given highest priority. He also reported that he attended the TML meeting in El Paso in February. He shared with other cities that Lake Worth has occasional joint meetings with the ISD. The City of Muleshoe was very interested and requested information on this.

12. City Manager and Staff Reports:

a. City Manager Report.

1. Multi-Use/Animal Control Facility Project Update.

Brett McGuire said that VCC is now working on sewer and drainage. Monthly meetings are being held to keep up to date on progress.

2. Alternative Council meeting date for Snow-Garrett to present audit.

Brett McGuire stated there will need to be a Council meeting to approve the annual audit by the deadline time. Consensus was to have the special meeting on Tuesday, March 30, 2010 at 6:30 pm in the Council Chambers.

b. City Secretary Report:

1. Candidate Filing/Election Update.

Brett McGuire reported on behalf of Linda Rhodes, City Secretary that only incumbents have signed up for the election. Persons may still sign up as a write-in until 5:00 pm next Monday, March 15, 2010.

c. EDC Report:

1. Upcoming EDC meeting date announced.

Jami Woodall announced that there will be an EDC meeting on Thursday, March 18, 2010 at 6:30 pm in the Council Chambers.

Executive Session was done earlier; see just prior to agenda item 10-b.

13. Executive Session:

Pursuant to the Texas Open Meeting Act, Chapter 551, Texas Government Code, the City Council reserves the right to convene into 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.

14. Reconvene into Regular Session:


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

Any action taken on Section 551.071 Executive Session Items was done under the appropriate agenda item listing.

15. Adjournment.

There being no further business, Mayor Walter Bowen closed the Council meeting at 7:45 p.m.

APPROVED:



Walter Bowen, Mayor

ATTEST:



Linda Rhodes, TRMC/CMC
City Secretary