

CITY OF LAKE WORTH
Minutes for
City Council Public Hearing/Regular Meeting
Tuesday, May 11, 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, Curtis McKay, Perry Lunsford, Pat O. Hill, and Clint Narmore. Myrt Fowlkes, Dona Stuard, and Geoffrey White were absent.

Staff present were Brett McGuire, City Manager; Ken West, Assistant City Manager; Linda Rhodes, City Secretary; Dave Tatsak, Chief of Police; Mike Voorhies, Fire Marshall/EMT; Jami Woodall, EDC Coordinator; Suzanne Meason, Planning and Zoning Coordinator; Jamye Sexton, Public Works Director; Barry Barber, Building Official; Debbie Whitley, Director of Finance; Danielle Hackbusch, HR/Risk Management; Ray Moody, Code Compliance; and Lara Strother, Library Director. City Attorney Wayne Olson was present.

4. Consent Agenda:

- a. **Approval of minutes for the City Council Public Hearing/Regular meeting on April 13, 2010.**
- b. **Approval of minutes for the Joint City Council/Planning and Zoning Commission meeting on April 20, 2010.**
- c. **Approval of Finance Reports for the month of April 2010.**
- d. **Approval of Tarrant County Tax Office Annual Agreement for the Assessment and Collection of 2010 Ad Valorem Taxes.**
- e. **Resolution #923- Annual Approval of Investment Policy and Investment Strategy.**

Perry Lunsford made a motion, seconded by Curtis McKay, 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. Presentation of Certificates of Election and Administer Oath of Office to elected, by unopposed candidates, Council Member Place #'s 1, 3, 5, and 7 for the May 8, 2010 General Election.

Mayor Bowen presented Certificates of Election to Curtis McKay, Place 1; Perry Lunsford, Place 3; Pat O. Hill, Place 5; and Clint (Dewayne) Narmore, Place 7. Linda Rhodes, City Secretary, administered the Oath of Office to the unopposed candidates elected to office.

b. Citizen/Visitor Comments.

Citizen Maureen Killeen of 3403 Roberts Cut Off addressed Council concerning her desire to construct a garage at her home which is in commercial zoning. Suzanne Meason explained that under current ordinance, she is unable to build the garage as desired; however, she can go to the Board of Adjustment to seek a variance. If the proposed accessory building ordinance is approved (which is on the agenda), she could proceed with obtaining a garage permit, with certain conditions.

6. Public Hearing/Action Items.

a. Public Hearing/Action to consider an ordinance of the City of Lake Worth, Texas, which is Planning and Zoning Case #PZ10-04, amending Chapter 14 "Zoning" of the Code of Ordinances, to amend the regulations and restrictions regarding accessory buildings, as requested by the City of Lake Worth.

Mayor Bowen opened the Public Hearing at 6:46 pm.

Due to three Council Members being absent, Mayor Bowen recommended this agenda item be continued until the next Council meeting. Brett McGuire stated staff concurs.

Pat Hill asked if Ms. Killeen's zoning district would change. Suzanne Meason stated her zoning district would not change; however, the section on pages 3 and 4, "Detached Accessory Building Regulations in Residential Zoning Districts", of the proposed ordinance would apply to her, as it states "This subsection shall also apply to nonconforming single family residential uses located in other zoning districts."

Dr. Jerry Locke asked if there was any public documentation available to read in advance of the meetings. Wayne Olson and Suzanne explained that legal notices are required to be in the published in the paper and meetings posted in compliance with law. Suzanne noted that the publications are in the Fort Worth Business Press; free copies are available at City Hall and the Library. A copy of proposed ordinances may be requested at City Hall. Brett McGuire also noted that agendas are posted on the City's bulletin board and website; current ordinances are available on the website.

Mr. Earl Fowlkes indicated he has a greenhouse on one of his properties that will not comply with the proposed ordinance. He was concerned with the registration of legal non-conforming uses. He noted that the Planning and Zoning

Commission did not approve this ordinance. Mayor Bowen clarified that the Planning and Zoning Commission neither approved nor denied the ordinance,

Mayor Bowen closed the Public Hearing at 6:59 pm.

Clint Narmore made a motion, seconded by Pat O. Hill, to continue Planning and Zoning Case #PZ10-04 for an ordinance amending the regulations and restrictions regarding accessory buildings until the June 8, 2010 Council meeting to be held at the Council Chambers, 3801 Adam Grubb, at 6:30 pm. Motion passed with all that were present voting in favor and none opposed.

b. Public Hearing/Action for Ordinance #942, Re-Adoption of Current Curfew Ordinance.

Mayor Bowen opened the Public Hearing at 7:00 pm.

Dave Tatsak stated he has not received any comments regarding the curfew ordinance. This is the second public hearing. The curfew hours are from 11:00 pm to 6:00 am the next day for Sundays, Mondays, Tuesdays, Wednesdays, and Thursdays and from 12:01 am to 6:00 am for Saturdays and Sundays. This applies to persons under the age of 17. No one present wished to speak on this public hearing item.

Mayor Bowen closed the Public Hearing at 7:02 pm.

Perry Lunsford made a motion, seconded by Clint Narmore, to approve Ordinance #942, re-adopting the curfew ordinance. Motion passed with all that were present voting in favor and none opposed.

7. Ordinances/Resolutions:

a. Resolution #922- Authorize to Accept the Tobacco Compliance Grant from Texas Comptroller of Public Accounts, if awarded.

Curtis McKay made a motion, seconded by Pat O. Hill, to approve Resolution #922 authorizing to accept the Tobacco Compliance Grant from the Texas Comptroller of Public Accounts, if awarded. Motion passed with all that were present voting in favor and none opposed.

8. Contracts/Agreements.

There were no Contracts/Agreements Items.

9. Bids, Proposals, and Specifications.

There were no Bids, Proposals, and Specifications Items.

10. Discussion/Action Items:

There were no Discussion/Action Items.

11. Mayor and Council Items.

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

Mayor Bowen had nothing to report from the Tarrant County Mayor's Council.

12. City Manager and Staff Reports:

a. City Manager Reports.

1. Report on Spring Clean Up date.

Brett McGuire reported that, considering all the rain, the turn out for the spring clean up was good.

2. Report on submission of May Financial Reports to Council.

Brett McGuire noted the May financial reports will be submitted at the July meeting instead of the June meeting, due to how Memorial Day and a City Furlough day falls on the calendar.

3. Report on City Manager upcoming schedule.

Brett McGuire reminded Council he will be out of the office the next two days. He will be here on Friday and then out again on Monday. Ken West will be available during the time he is out of the office; however, Ken will be at an asbestos meeting in Austin on Friday with Barry Barber.

b. Chief of Police Reports:

1. Demo of T3 Motion Machine.

2. Introduction of CCPD signs.

3. Announcement of Sex Offender Public Education presentation.

Dave Tatsak announced that the Sex Offender Public Education presentation will be at the Lake Worth High School on Thursday, May 13, 2010 at 7:00 pm. He also had a sample sign stating "Lock It, Hide It, or Lose It" that will be placed in various locations to deter thieves breaking in vehicles. Captain Pringle and Lieutenant Benningfield drove two T3 Motion Machines into the Council Chambers for a brief demo to Council. Captain Pringle explained that the machines were purchased through a Justice Assistance Grant and were no cost to the city at all. They run off of a battery that can last up to 8 hours and is rechargeable. The machines can drive up to 20 mph.

c. EDC Report:

1. Upcoming EDC Board Member terms/appointments.

Jami Woodall reminded Council that board terms for EDC are coming up for place numbers 2, 4, and 6. These positions will be appointed/re-appointed at the next regular Council meeting.

d. HR/Risk Management Report:

1. Announce tentative Blood Drive.

Danielle Hackbusch announced that there will be a special blood drive on Thursday, May 27, 2010 from 9:00 am to 3:00 pm in honor of the father of a city employee. Units from the city's account have already been furnished to this person; the blood drive will replenish the city's account.

Mayor Bowen closed the open session of the meeting and went into Executive Session at 7:22 pm, pursuant to Section 551.071.

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.**

- 1. Comanche Creek Drainage Improvements.

Mayor Bowen closed the Executive Session of the meeting and reconvened into open session at 7:37 pm.

14. Reconvene into Regular Session:

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

There was no action taken on Executive Session item(s).

15. Adjournment.

There being no further business, Mayor Walter Bowen closed the Council meeting at 7:38 p.m.

APPROVED:



Walter Bowen, Mayor

ATTEST:



Linda Rhodes, TRMC/CMC
City Secretary