

CITY OF LAKE WORTH
Minutes for
City Council
Public Hearing/Regular Meeting
Tuesday, August 9, 2011
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, Myrt Fowlkes, Perry Lunsford, Ronny Parsley, Pat O. Hill, Geoffrey White, and Clint Narmore.

Staff present were Brett McGuire, City Manager; Ken West, Assistant City Manager; Linda Rhodes, City Secretary; Dave Tatsak, Chief of Police; Mike Christenson, Fire Chief; Debbie Whitley, Director of Finance; Jami Woodall, EDC Coordinator; Suzanne Meason, Planning and Zoning Coordinator; Sean Densmore, Public Works Manager; Barry Barber, Building Official; Joe Dickens, Building Inspector; and Danielle Hackbusch, HR/Risk Management. City Attorney Jenny Gravley and City Engineer Aaron Rader were present.

4. Consent Agenda:

- a. **Approval of minutes for the City Council Regular meeting on July 12, 2011.**
- b. **Approval of Finance Reports for the month of July 2011.**
- c. **Renewal of Interlocal Agreement with Fort Worth Participating in their Environmental Collection Center Household Hazardous Waste Disposal Program for FY 2011/2012.**

Perry Lunsford made a motion, seconded by Pat Hill, to approve the Consent Agenda. Motion passed with all in favor and none opposed.

5. Presentations:

- a. **Proclamations/Awards/Presentations.**
- b. **Citizen/Visitor Comments.**

Jeanne Reese-Asmode addressed Council regarding agenda item number 7-b for the Park Facility Usage Fees. She and her husband own Cowtown Soccer and her group desires to use the park facilities on a regular basis, but cannot afford the current fees. She is in favor of amending the fees.

6. Public Hearing/Action Items.

a. Public Hearing/Action regarding the Crime Control and Prevention District (CCPD) Proposed Budget for FY 2011/2012.

Mayor Bowen opened the Public Hearing at 6:37 p.m.

There were no persons present wishing to speak during this public hearing item.

Mayor Bowen closed the Public Hearing at 6:38 p.m.

Pat Hill made a motion, seconded by Geoffrey White, to approve the CCPD Proposed Budget for FY 2011/2012. Motion passed with all in favor and none opposed.

b. Public Hearing/Action to consider approval of Ordinance #967 for Atmos Mid-Tex Division's Rate increase request, pursuant to the Rate Review Mechanism process.

Mayor Bowen opened the Public Hearing at 6:38 p.m.

Brett McGuire explained that this ordinance is recommended for approval by the Atmos Cities Steering Committee attorneys and our City Attorney. The rate increase will impact the average residential customer's monthly bill by \$0.31.

There were no persons present wishing to speak during this public hearing item.

Mayor Bowen closed the Public Hearing at 6:40 p.m.

Pat Hill asked about Attachment "A" of the ordinance stating a different amount (\$7.50 instead of \$0.31); Brett answered he was not sure of the structure of the attachments, but they have been reviewed and approved by the attorneys.

Perry Lunsford made a motion, seconded by Ronny Parsley, to approve Ordinance #967 for Atmos Mid-Tex Division's Rate increase request. Motion passed with all in favor and none opposed.

7. Ordinances and Resolutions.

a. Ordinance #966- Calling/Ordering the November 8, 2011 Special Election for Voters to Vote For or Against Re-Authorization of the Street Maintenance Tax, Approving a Joint Election Agreement and Contract with Tarrant County Elections Administration to administer the Election, and Authorizing other Election provisions as necessary.

Linda Rhodes explained this ordinance will call for a special election in November to allow voters to either for vote for or against re-authorizing the Street Maintenance Sales Tax of $\frac{1}{4}$ of 1% for an additional four (4) years.

Clint Narmore made a motion, seconded by Geoffrey White, to approve Ordinance #966. Motion passed with all in favor and none opposed.

b. Ordinance #968- Amending Park Facility Usage Fee Schedule.

Sean Densmore explained the need to amend the Park Facility Usage Fees for field use by non 501(c)(3) groups from \$40.00 per hour to \$20.00 per hour and

for lights from \$25.00 per hour to \$5.00 per hour. Lowering the fees would make it more affordable to smaller athletic groups such as Cowtown Soccer to use the fields. This would help bring in more users as well as make it easier on our local youth association for the use of lights.

Pat Hill made a motion, seconded by Clint Narmore, to approve Ordinance #968 with the stipulation to bring this item back for Council to review actual cost in one year. Motion passed with all in favor and none opposed.

c. Ordinance #969- Amending Article 12.2700 "Idling of Vehicles".

Brett McGuire explained that there were recent changes in TCEQ Rules that necessitate amending our current ordinance on idling of vehicles. The City Attorney has reviewed Ordinance #969 which addresses the amendments. Perry Lunsford asked if any tickets have been issued as a result of vehicle idling; Chief Tatsak responded there had not been any issued. Pat Hill asked how much cost is anticipated in educating the public. Brett indicated there should be none; there are brochures available at no cost to the City to have on hand for the public.

Perry Lunsford made a motion, seconded by Geoffrey White, to approve Ordinance #969 to amend Article 12.2700 "Idling of Vehicles". Motion passed with all in favor and none opposed.

d. Ordinance #970- Consideration of a draft Conflicts Ordinance.

Mayor Bowen explained that he requested this item to be on the agenda. Myrt Fowlkes asked for clarification of Section 3(c). Jenny Gravley indicated that she can revise the ordinance to include language that would clarify that section.

Clint Narmore made a motion, seconded by Geoffrey White, to approve Ordinance #970 with the stipulation that clarification be made to Section 3(c) as noted. Voting in favor of the motion were Clint Narmore, Geoffrey White, Myrt Fowlkes, Perry Lunsford, Ronny Parsley, and Pat Hill. Voting against the motion was Curtis McKay. Motion passed with a 6-1 vote.

8. Contracts/Agreements.

a. Consider approval of an agreement with Kimley-Horn for professional services for the Ridgecrest Circle Reconstruction Project.

Sean Densmore explained that this agreement with Kimley-Horn is for professional services for the Ridgecrest Circle Reconstruction Project. Curtis McKay asked how the City could spend this much on a project without going out for bid. Jenny Gravley explained that for professional services you are not allowed to bid out. Brett McGuire indicated that once the project itself is ready, it will go out for bid. Clint Narmore asked if the work would go down Highland Lake; Sean explained the area it would entail is only on Ridgecrest Circle. Pat Hill asked about the timeline for the project. Sean indicated everything should be ready for bid by the end of the year.

Geoffrey White made a motion, seconded by Perry Lunsford, to approve the agreement with Kimley-Horn for professional services for the Ridgecrest Circle Reconstruction Project and to authorize the City Manager to execute the document. Motion passed with all in favor and none opposed.

9. Bids, Proposals, and Specifications.

There were no Bids, Proposals, and Specifications.

10. Discussion/Action Items.

a. Discussion/Action regarding selection of Official Newspaper for City publications.

Linda Rhodes noted that back in February Council approved to continue using the Fort Worth Star Telegram as the official newspaper for the City and for staff to get with the Northwest News to see if they could meet legal requirements to be the official newspaper for legal publications. Northwest News was not able to meet the legal requirement of being a second class postal matter newspaper; therefore, staff is recommending renewing the contract with the Fort Worth Star Telegram. The Fort Worth Star Telegram has agreed to continue at the current reduced rates.

Pat Hill made a motion, seconded by Clint Narmore, to select the Fort Worth Star Telegram as the official newspaper for City publications. Motion passed with all in favor and none opposed.

b. Discussion regarding SB 100 and its impact on future procedures for conducting elections in May of even-numbered years.

Brett McGuire reminded Council this was an informational item only; no action is required at this time. He, Linda Rhodes, and Jenny Gravley took turns explaining the new law, SB 100, regarding elections in May of even-numbered years and its impact on future City elections. Tarrant County has not given a final answer as of yet if they will continue to provide voting equipment for Cities or not. There is a meeting scheduled to go over issues concerning that possibility tomorrow. Options were submitted to Council so they can start thinking about how they wish to conduct future elections. Jenny explained, dependent upon which option is chosen, a special meeting may need to be called to call a special charter election. One option is to move the May elections to November, which some entities are concerned with city elections being placed at the end of the ballot. Steve Raborn with Tarrant County had indicated he would check to see if moving these to the front of the ballot could be done; however, Jenny stated that the Election Code prohibits this. It states exactly how the ballot must be laid out.

11. Mayor and Council Items.

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

Mayor Bowen had no update regarding the Tarrant County Mayor's Council. Myrt Fowlkes mentioned the Lake Worth Area Historical Society made about \$2,700 from the fish fry fundraiser for the Lake Worth Museum.

12. City Manager and Staff Reports.**a. Assistant City Manager Report(s):****1. Review of long-term reservation policy for Multi-Purpose Facility.**

Ken West submitted a report on fees collected so far for the use of the Multi-Purpose Facility.

b. EDC Coordinator Report(s):**1. Upcoming EDC meeting for proposed EDC Budget FY 2011/2012.**

Jami Woodall reported that the EDC meeting will be held on Thursday, September 1, 2011 at 6:30 pm.

c. P&Z Coordinator Report(s):**1. Upcoming board member appointments for BOA, P&Z, and HPC.**

Suzanne Meason reported that applications are being taken for the various boards. Appointments are to be made at the September Council meeting.

There was no Executive Session.

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.

b. Pursuant to Section 551.072- Deliberate the purchase, exchange, lease or value of real property.

There was no Executive Session.

14. Reconvene into Regular Session:

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

15. Adjournment.

There being no further business, Mayor Walter Bowen closed the Council meeting at 7:18 p.m.

APPROVED:



 Walter Bowen, Mayor

ATTEST:



 Linda Rhodes, TRMC/CMC
 City Secretary