

CITY OF LAKE WORTH
Minutes for
City Council Public Hearing/Regular Meeting
Tuesday, February 8, 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, Dona Stuard, 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; Michael Christenson, Firefighter Lieutenant; Debbie Whitley, Director of Finance; Jami Woodall, EDC Coordinator; Suzanne Meason, Planning and Zoning Coordinator; Joe Dickens, Building Inspector; and Lara Strother, Library Director. City Attorney Jenny Gravley and City Engineer Aaron Rader were present.

4. Consent Agenda:

- a. **Approval of minutes for the City Council Public Hearing/Regular meeting on January 11, 2011.**
- b. **Approval of Finance Reports for the month of January 2011.**
- c. **Approval of Resolution Calling/Ordering the May 14, 2011 General Election, approving to Joint contract with Tarrant County Elections Administration to Administer the Election, and authorizing other election provisions as necessary.**
- d. **Annual Racial Profiling Report.**

Dona Stuard made a motion, seconded by Geoffrey White, to approve the Consent Agenda with one minor correction to the minutes and postponing agenda item #4-b, Financial Reports, until the March meeting. Motion passed with all in favor and none opposed.

5. Presentations:

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

There were no Presentations.

6. Public Hearing/Action Items.

- a. **Public Hearing/Action to receive citizen comments regarding the 37th Year Tarrant County Community Development Block Grant (CDBG) Project for replacement of the sanitary sewer line along Foster Drive (from Lakewood Drive to Tomkins Corner), Rench Road and Bass Street.**

Mayor Bowen opened the public hearing at 6:34 pm.

Aaron Rader explained that the 37th Year CDBG Project is for replacement of the sanitary sewer line along Foster Drive (from Lakewood Drive to Tomkins Corner). (It does not include Rench Road and Bass Street.) After the public hearing, Council may take action on approval of participation in the project. Estimated cost of the project is \$211,450.

There were no other persons wishing to speak on this public hearing item.

Mayor Bowen closed the public hearing at 6:38 pm.

Clint Narmore made a motion, seconded by Perry Lunsford, to approve the City's participation in the 37th Year CDBG Project for replacement of the sanitary sewer line along Foster Drive (from Lakewood Drive to Tomkins Corner). Motion passed with all in favor and none opposed.

7. Ordinances/Resolutions.

- a. **Consider approval of amending the Sign Ordinance to add for Kiosk Sign Placement and approval of a Kiosk Sign Agreement between the City and the Sign Contractor.**

Suzanne Meason explained that staff was asked by the Mayor to look into amending the sign ordinance to allow for placement of kiosk signs. George Faris is the sign contractor that the City is considering an agreement with to handle the installation and maintenance of the kiosk signs.

George Faris, with Baker Clear View Operating, LLC, addressed Council. He stated the program consists of them manufacturing and installing the kiosk signs in pre-determined locations that are approved by City staff. It is 100% their cost; there is no cost at all to the City. In fact, it will generate revenue for the City. The City may use some of the panels on the kiosk signs for City facility directional signage.

Brett McGuire explained that the ordinance gives permission for the City to place these signs for local businesses that are inside the City limits only. Jenny Gravely noted that while it is legally allowed to restrict to local businesses, it is open to any and all businesses in the City.

Perry Lunsford made a motion, seconded by Dona Stuard, to approve Ordinance #958, amending the sign ordinance to provide for Kiosk Sign Placement and to

approve the Kiosk Sign Agreement between the City and the Sign Contractor, Baker Clear View Operating, LLC, and to authorize the City Manager to execute the agreement. Motion passed with all in favor and none opposed.

b. Approval of a Resolution suspending Oncor Electric's Rate Increase Request.

Lawrence Ward, Area Manager for Oncor Electric Delivery Company, was present to answer any questions Council might have regarding the rate increase. He noted that passing this resolution was basically a formality. There were no further questions.

Pat Hill made a motion, seconded by Clint Narmore, to approve Resolution #933, suspending Oncor Electric Delivery Company's proposed rate change effective date for 90 days. Motion passed with all in favor and none opposed.

8. Contracts/Agreements.

a. Consider adoption of the Standing Reservation Agreement for the Multi-Purpose Facility conference rooms.

Ken West presented a power point explaining that staff has received several inquiries about renting the conference rooms at the Multi-Purpose Facility for an extended time period. The proposed agreement being brought to Council will provide for long term rentals at a discount of 25%. Staff is asking for approval to try this for 6-12 months to see how it works out.

Geoffrey White made a motion, seconded by Clint Narmore, to accept staff recommendation to approve the Standing Reservation Agreement for the Multi-Purpose Facility conference rooms with the discount of 25% for long term rentals for a period of one (1) year and to report back to Council within 6-months. 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 Official Newspaper for City publications.

Brett McGuire explained that in 2009 Council approved using the Fort Worth Business Press as the City's official newspaper of publication with the Fort Worth Star Telegram being the secondary due to pricing at that time by the Star Telegram. Since then, there have been some issues using the Fort Worth Business Press regarding publications. Staff has had the Northwest News express an interest in being the City's official newspaper. Staff would love to use the local newspaper; however, the Northwest News does not meet the second-class permit requirement pursuant to the Government Code. Therefore, staff is recommending using the Fort Worth Star Telegram for the time being. The Northwest News is checking on the second-class permit. The current contract with the Fort Worth Star Telegram expires on September 30, 2011.

Clint Narmore asked if the City could hold off on renewing the contract with the Fort Worth Star Telegram in order to see if the Northwest News can meet legal requirements. Perry Lunsford noted that the letter from the Northwest News does not sound like they are trying to get the second class permit at all. Linda Rhodes clarified that she spoke with Charlse Littlefield with the Northwest News and she indicated that they would look into it further when the publisher returned from out of town. Geoffrey White asked if they could be given a timeline to get back with the City and maybe table this item until next month. Brett McGuire indicated that staff would feel more comfortable if a decision was made tonight and to bring it back in September instead of tabling it, as there are some important legal publications for elections coming up.

Clint Narmore made a motion, seconded by Perry Lunsford, to use the Fort Worth Star Telegram as the City's Official Newspaper of publication and to revisit this item prior to signing of a new contract with them, existing contract to expire on September 30, 2011. Motion passed with all in favor and none opposed.

Mayor Bowen asked Linda to get in contact with the Northwest News to discuss the requirements further.

11. Mayor and Council Items.

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

Mayor Bowen informed everyone he attended the Tarrant County Mayor's Council meeting last night. There will be a push on transportation issues with the legislature this year. Myrt Fowlkes noted that the time-capsule will be buried at the Lake Worth Area Museum site on Tuesday, February 15, 2011 at 2:00 p.m.

12. City Manager and Staff Reports.

a. City Manager Reports:

1. Weather related information.

Brett McGuire reported City Hall closings last week due to weather except for essential personnel.

b. Police Chief Reports:

1. Introduce new Police Officer Zackery Dawson.

Chief of Police Dave Tatsak introduced the new police officer, Zackery Dawson, to everyone.

2. Report concerning "Plain Language" for radio communications.

Chief Tatsak explained that radio communications will now go to "plain language" instead of the old radio call numbers, with the exception of a few that are considered to be of a security/safety/personal nature.

c. Parks Department Reports:

1. Annual Review/Report on Parks Fees for 501(c)3 Groups.

Ken West, on behalf of Sean Densmore, reported that there are no recommended changes to the parks fees for non-profit groups. Everything is working fine as is.

Mayor Bowen closed the open session of the meeting to go into Executive Session at 7:18 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.

Mayor Bowen closed the Executive Session and re-convened into open session at 7:28 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.

15. Adjournment.


There being no further business, Mayor Walter Bowen closed the Council meeting at 7:28 p.m.

APPROVED:



 Walter Bowen, Mayor

ATTEST:



 Linda Rhodes, TRMC/CMC
 City Secretary