

**CITY OF LAKE WORTH**  
**Minutes for**  
**City Council Public Hearing/Regular Meeting**  
**Tuesday, January 11, 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 6:33 p.m.

**2. Invocation and Pledge of Allegiance.**

Mayor Pro-Tem Clint Narmore 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; Mark Cone, Fire Chief; Debbie Whitley, Director of Finance; Jami Woodall, EDC Coordinator; Suzanne Meason, Planning and Zoning Coordinator; Barry Barber, Building Official; Joe Dickens, Building Inspector; Sean Densmore, Water Superintendent; Danielle Hackbusch, HR/Risk Management; Lara Strother, Library Director; and Cheryl Vess, Community Activities Coordinator. 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 December 14, 2010.**
- b. **Approval of minutes for the Joint City Council/ Economic Development Corporation (EDC) board meeting on December 16, 2010.**
- c. **Approval of Finance Reports for the month of December 2010.**
- d. **Ordinance #955- Budget Amendment to the FY 2010/2011 Operating Budget for the Hotel/Motel Tax Fund to increase expenses for reimbursements to the Best Western Hotel.**
- e. **Ordinance #957- Amending Water/Sewer Rates for City of Lake Worth Municipal Facilities/Locations.**

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

## 5. Presentations:

### a. Proclamations/Awards/Presentations.

#### 1. Presentation of donation by the Lake Worth Youth Association.

Sherri Wicker, along with five children with the Lake Worth Youth Association, presented the City a check in the amount of \$15,000 to go towards a fence at the Lake Worth Park.

### b. Citizen/Visitor Comments.

*There were no Citizen/Visitor Comments.*

## 6. Public Hearing/Action Items.

### a. Public Hearing/Action to consider Ordinance #956, which is Planning and Zoning Case #PZ10-06, the request of Wink Holdings, LLC (e. Dale Martin, D.D.S.) to consider changing the zoning of certain properties within the SF-1-Single Family Zoning District and PC-Planned Commercial Zoning District to PC-Planned Commercial Zoning District for the use and operation of a Dental Office on Block 29, Lots 1, 2, 3, 4, 5A, 6A, 7A, & 8A, Indian Oaks Subdivision, Lake Worth, Tarrant County, Texas, property commonly known as 7109 and 7121 Navajo Trail.

*Mayor Bowen opened the public hearing at 6:39 pm.*

Suzanne Meason explained to Council that Dale Martin, pediatric dentist currently located at 3904 Boat Club Road, has outgrown his current office and has purchased this property in the hopes to relocate and expand his dental practice. This request is only to change the zoning of all the listed properties to PC-Planned Commercial with the use designation as a Dental Office. It does not include site plan approval at this time. Dr. Martin will have to replat the eight (8) lots into one (1) and will then proceed with the site plan approval process. He is aware that no construction may take place until a site plan has been approved.

Bill Boomer, with Civil Solutions, engineer for Mr. Martin, addressed Council stating that they were in compliance with all requirements and that the Planning and Zoning Commission has heard this case and recommends approval. When asked, Mr. Boomer indicated that both existing homes on these lots will be removed. He also explained that Mr. Martin is aware of the fact that the property is in the APZ 1 zone (Accident Potential Zone) and is in the 80 decibel sound level contour and that he has no problem providing the City with a letter stating so and that he still wishes to pursue his development on the property.

Rachel Wiggins, representing the Naval Air Station (NAS) Fort Worth Joint Reserve Base (JRB), read aloud a letter from Commanding Officer T. D. Smyers indicating the Navy's stance to not support the zoning request due to the use being incompatible with military aircraft operations dealing with noise and safety.

Linda Potter, of 4112 Lakewood Drive, asked if the City had a copy of the map showing the areas affected by noise and safety. Staff indicated they did.

There were no other persons wishing to speak on this public hearing item. Mayor Bowen made note of the City's support of the base.

*Mayor Bowen closed the public hearing at 6:49 pm.*

Perry Lunsford made a motion, seconded by Curtis McKay, to approve Ordinance #956, Planning & Zoning Case #PZ10-06, for a zoning change to PC-Planned Commercial Zoning for the use and operation of a Dental Office on Block 29, Lots 1, 2, 3, 4, 5A, 6A, 7A, & 8A, Indian Oaks Subdivision, property known as 7109 and 7121 Navajo Trail. Motion passed with all in favor and none opposed.

## **7. Ordinances/Resolutions.**

### **a. Ordinance #954- Establishing Rental Fees and Regulating Hours and Use of the City Multi-Purpose Facility.**

Several questions were asked by Council Members about the proposed fees, rules, and regulations. Some of the items of concern were pricing, bubbles being allowed, candles being allowed, trash bags being furnished by renter, tables/chairs set up. Ken West stated the fees were comparable with other places; the rules and regulations would be revised as the need arises.

Perry Lunsford made a motion, seconded by Geoffrey White, to approve Ordinance #954, establishing rental fees for the use of the City Multi-Purpose Facility, taking into consideration things discussed regarding usage. Voting in favor of the motion were Perry Lunsford, Geoffrey White, Dona Stuard, Pat Hill, and Clint Narmore. No one voted against the motion. Curtis McKay and Myrt Fowlkes abstained. The motion passed with a 5-0-2 vote.

## **8. Contracts/Agreements.**

### **a. Resolution #932- Approving an Interlocal Agreement establishing participation in the North Central Texas "Major Case Investigative Team".**

Dave Tatsak explained that the North Central Texas Major Case Investigative Team (MCIT) is a multi-jurisdictional effort to concentrate investigative manpower and resources in the event of a major crime to any participating requesting agency. Approval of this Interlocal agreement would be a valuable asset to our city in the event of a serious accident or crime.

Dona Stuard made a motion, seconded by Myrt Fowlkes, to approve Resolution #932, approving an Interlocal Agreement establishing participation in the North Central Texas "Major Case Investigative Team". 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 on the appointment of members to the Board of Adjustment (BOA), Places 2 (term expires October 1, 2012) and 4 (term expires October 1, 2012).**

Suzanne Meason explained that since the board requirements were changed, board applicant Connie Bailey now qualifies to be a member. Don Riley has also submitted his application to serve on the BOA. With these two appointments being approved, the BOA would have a quorum as long as all members are present for a meeting. Place numbers 3, 6, and 7 are still vacant.

Dona Stuard made a motion, seconded by Myrt Fowlkes, to appoint Connie Bailey to Place #2 on the BOA and Don Riley to Place #4 on the BOA. Motion passed with all in favor and none opposed.

## **11. Mayor and Council Items.**

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

Mayor Bowen informed everyone that he received an e-mail from Tarrant County indicating CDBG Project funds are projected to go down by 25%.

## **12. City Manager and Staff Reports.**

- a. City Manager Reports:**

**1. Announce Retirement Party Date.**

Brett McGuire announced that City employee Buddy White will be retiring from the City after a little over 35 years of service. There is a retirement party scheduled for him on Wednesday, January 26, 2011 from 11:00 am to 2:00 pm at the Multi-Purpose Facility.

- b. EDC Coordinator Reports:**

**1. EDC Quarterly Report.**

**2. Update on Joint EDC/LWAHS meeting.**

Jami Woodall stated she hoped EDC will soon have an agreement with the LWAHS; however, they are not there yet. The LWAHS will be having a board meeting this Thursday to discuss it further.

- c. HR/Risk Management Reports:**

**1. Military Differential Pay Annual Review.**

Danielle Hackbusch reported that Council approved the military differential pay policy in February 2009 and asked for annual reviews. There have been no problems with the policy and staff recommends keeping it active. She asked if Council wished to continue it as is and if they wished to continue to receive annual reviews. Council consensus was to continue as is and to keep receiving annual reviews at this time.

*Mayor Bowen closed the open session of the meeting to go into Executive Session at 7:31 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. Conflict of Interest requirements.**

*Mayor Bowen closed the Executive Session and re-convened into open session at 7:44 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 the Executive Session item.

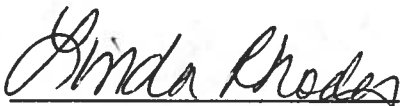
**15. Adjournment.**

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

APPROVED:

  
Walter Bowen  
Walter Bowen, Mayor

ATTEST:

  
Linda Rhodes, TRMC/CMC  
City Secretary