

CITY OF LAKE WORTH
Minutes for
City Council Regular Meeting
Tuesday, January 13, 2009
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 and attendees recited the pledge of allegiance.

3. Roll Call.

Council members present were Mayor Walter Bowen, Eugene Brooks, Myrt Fowlkes, Perry Lunsford, Dona Stuard, Pat O. Hill, and Geoffrey White. Clint Narmore arrived later around 6:54 p.m., which was during agenda item number 7-a.

Staff present were Brett McGuire, City Manager; Linda Rhodes, City Secretary; Dave Tatsak, Interim Police Chief; Mike Voochies, EMC, Debbie Whitley, Finance Director; Jami Woodall, EDC Coordinator; Suzanne Meason, Planning and Zoning Administrator; Jamye Sexton, Public Works Director; Sean Densmore, Water Superintendent; Kelly McDonald, Public Works Secretary; Lara Strother, Library Director; Mark Ramsey, IT Manager; Cheryl Vess, Community Activities Director; 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 Joint City Council/Planning and Zoning Commission Public Hearing/Regular Meeting on December 9, 2008.**
- b. **Approval of Finance Reports for the month of December 2008.**
- c. **Annual Approval of the Tarrant County Emergency Services District Contract.**

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

5. Proclamations/Awards/Presentations/Visitor Comments:

a. Proclamations/Awards/Presentations.

There were no Proclamations/Awards/Presentations.

b. Citizen/Visitor Comments.

Mr. Phillip Wallis of 3708 Merrett informed Council that his son's football all star team placed first in a football tournament in Mansfield. He wanted Council to be aware that Lake Worth was very well represented.

6. Public Hearing/Action Items.

There were no Public Hearing/Action Items.

7. Ordinances/Resolutions:

a. Ordinance #900-Amending Park and Recreation Ordinance.

Sean Densmore explained that park and recreation provisions are in different places within the current code book. This ordinance will combine those areas, do away with long-term/short-term provisions, and add a fee schedule for use of city park/recreation facilities. Brett McGuire added that the city had spent approximately \$49,000 for the Lake Worth Park only in the past year. The intent of the proposed ordinance is to be fair and equitable across the board for all users. Myrt Fowlkes asked why the park hours were different at the dog park than the others; Sean indicated there had been requests for the different hours. Resident Phillip Wallis addressed Council again; he gave a brief summary of LWYA's expenses. Pat Hill questioned some of the totals; they did not calculate out correctly. (Council member Clint Narmore arrived at the meeting at this time.)

Sherri Wicker, LWYA Vice-President, and Shelley Snyder, YMCA representative, both addressed Council expressing their concern with the proposed ordinance and fees. The YMCA had not budgeted anything for this year for field rentals at all.

Geoffrey White made a motion, seconded by Dona Stuard, to approve Ordinance #900. Motion passed with all in favor and none opposed.

b. Resolution #893- Personnel Manual Update: Military Paid Differential.

Danielle Hackbusch presented the update to Council regarding military paid differential. The update was reviewed by the City Attorney's office. Most of the information received for her research came from the IRS website and not other cities. Pat Hill questioned what the term "other allowances" meant. Danielle indicated that there were too many variable to list individually, but instead it specifically lists what was excluded.

Perry Lunsford made a motion, seconded by Pat Hill, to approve Resolution #893. Motion passed with all in favor and none opposed.

c. Consideration of approving Resolution #894 to Support the Mayor's Council of Tarrant County Resolution Urging the 81st Texas Legislature to Invest in Transportation.

Clint Narmore made a motion, seconded by Eugene Brooks, to deny Resolution #894. Motion passed with all in favor and none opposed.

Eugene Brooks asked if Agenda Item #7-a could be revisited to discuss provisions should a person sign up again for military service. Since that item had already been voted on, Mayor Bowen explained that according to Roberts Rules of Order that they could not. It was consensus for staff to add it to the agenda for the next Council meeting for discussion.

d. Consideration of approving Resolution #895 to Support the Mayor's Council of Tarrant County Resolution Supporting Local Option Fees and Taxes to Fund Transportation including Rail North Texas.

Dona Stuard made a motion, seconded by Myrt Fowlkes to deny Resolution #895. Motion passed with all in favor and none opposed.

e. Resolution #896- Adoption of Fort Worth Multi-Jurisdictional Hazard Mitigation Action Plan.

Mike Voorhies explained that FEMA requires a Hazard Mitigation Action Plan every five years. The City of Lake Worth is part of Tarrant County's plan, which opens up funding to the city.

Dona Stuard made a motion, seconded by Myrt Fowlkes, to approve Resolution #896. Motion passed with all 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:**a. Consider Increasing City Participation in Employee Dependent Insurance Coverage.**

Brett McGuire reminded Council that this item was asked to be revisited after open enrollment was complete and exact numbers could be looked at for any further possible city participation for employee dependent insurance coverage. The Finance Department prepared different percentage scenarios for Council consideration; budgeted amount is a little over \$500,000. Based on those numbers, the maximum percentage amount staff recommends is 25%.

Myrt Fowlkes made a motion, seconded by Eugene Brooks, to approve a 25% city participation in employee dependent insurance coverage and to review such participation annually. Motion passed with all in favor and none opposed.

b. Consider Approval of an extension to the lease for B&B Windows at 7009 Charbonneau, requested by Ken Black.

Mayor Bowen and Brett McGuire have spoken to Ken Black, who is requesting a 3-5 week extension to the lease at 7009 Charbonneau, which is scheduled to expire on February 15, 2009. Brett McGuire indicated staff preferred not to be locked in at five (5) weeks; Geoffrey White asked if staff would be comfortable with four (4) weeks. Jamey Sexton and Brett McGuire indicated that would be fine. Mr. Black was not present, but had spoken to the Mayor earlier about not being there.

Discussions were made regarding that if Mr. Black is willing to allow work to begin on the west side of the property, an extension could be granted. Myrt Fowlkes asked what he had been doing for the past one ½ years. Brett pointed out that Mr. Black did not sign the original lease agreement; his mother signed the lease agreement. City Attorney Jenny Gravley stated that was fine.

Clint Narmore made a motion, seconded by Geoffrey White, to approve a four (4) week lease extension at 7009 Charbonneau Road

for Mr. Ken Black with the provisions that he clean up the west side of the property and the clean up be completed and cleared by mid-point (2 weeks) of the extension. Voting in favor of the motion were Clint Narmore, Eugene Brooks, Perry Lunsford, Pat Hill, and Geoffrey White. Voting against the motion were Myrt Fowlkes and Dona Stuard. Motion passed with a 5-2 vote.

c. Consider Authorization of Sale of 1990 Spartan FMC Pumper Truck as Surplus Equipment and use monies to remodel second floor of Fire Station.

Mike Voorhies explained that the fire department wishes to sell the pumper truck and use the monies to remodel the second floor of the fire station. Dona Stuard asked if it would require being ADA compliant; Jamye Sexton indicated it would. Due to cost issues involved to be ADA compliant, Brett McGuire suggested approving the sale of the truck for now and to place the proceeds in reserves.

Eugene Brooks made a motion, seconded by Myrt Fowlkes, to authorize the sale of the 1990 Spartan FMC Pumper Truck as surplus equipment to Texas Fire Trucks, LTD and to place the proceeds in the reserve. Motion passed with all in favor and none opposed.

d. Discussion/Action regarding Color Selection for Street Sign Replacements.

Jamye Sexton displayed three different color schemes for Council to select for future street sign replacements. The choices were a white sign with blue letters, blue sign with white letters, or a green sign with white letters. The new signage is necessary in order to comply with new federal guidelines.

Eugene Brooks made a motion, seconded by Clint Narmore, to select the blue sign with white letters for city street signs. Voting in favor of the motion were Eugene Brooks, Clint Narmore, Perry Lunsford, Dona Stuard, Pat Hill, and Geoffrey White. Voting against the motion was Myrt Fowlkes. Motion passed with a 6-1 vote.

e. Discussion/Action regarding Fencing along drainage area in Hodgkins Park.

Jamye Sexton explained to Council that there had been concerns recently expressed about safety at the drainage area in Hodgkins Park. He has received a bid for fencing in the amount of \$16,300.00 that would help this issue. Another option is to use large rocks that

the city already has as a creek barrier. This would be beneficial financially and aesthetically.

Geoffrey White made a motion, seconded by Clint Narmore, to proceed with installing existing rock to act as a creek barrier along the drainage area in Hodgkins Park. 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 thanked those that attended the Mayors' Council of Tarrant County annual banquet which was held on Monday, December 1, 2008.

12. City Manager and Staff Reports:

a. City Manager Reports.

1. Report on Foster House Project.

Brett McGuire explained that Pat Hill, EDC President, had sent a letter in December to the contractor, Mr. Keith Brawley, giving a deadline on the project. Staff met with Mr. Brawley and he did not have any specific set of plans or timeline, but he assured it would be turned in by 5:00 p.m. on Friday, January 15, 2009.

b. Staff Reports.

1. EDC Department:

i. EDC Quarterly Report.

Jami Woodall had no additional information to the EDC Quarterly report submitted in the Council packets.

ii. EDC Meeting Date Scheduled.

Jami Woodall announced the next EDC meeting is scheduled on Thursday, January 22, 2009.

2. City Engineer:

i. Update on Edgemere Lift Station Construction.

Aaron Rader stated the Edgemere lift station work is almost finished. Jamye Sexton noted that the electric company is holding up the project; therefore, he will give the contractor an extension based upon that issue. Expected date of completion is around the second week of February.

3. Community Activities Director:

i. Report on Annual Employee Christmas Party.

Cheryl Vess stated the party went very well.

ii. Keenum-Shelton Park Opening.

Cheryl Vess noted that the park opening is scheduled for Saturday, January 17, 2009 at 10:00 a.m. Last word was that some of the Keenum-Shelton family members are planning on attending. Pet Smart, among other pet oriented businesses, will also be there to support the new "dog" park.

Mayor Bowen closed the open session of the meeting at 8:01 p.m. and opened the Executive Session to discuss items listed pursuant to Section 551.074.

13. Executive Session:

Pursuant to the Texas Open Meeting Act, Chapter 551, Texas Government Code, the City Council reserves the right to convene in executive session as necessary during this meeting to discuss the following:

- a. Pursuant to Section 551.074- Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.**

1. Selection and/or selection process of Chief of Police.

Mayor Bowen closed the Executive Session and reconvened into Open Session at 8:05 p.m.

14. Reconvene into Regular Session:

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

Myrt Fowkes made a motion, seconded by Dona Stuard, to appoint Dave Tatsak as Chief of Police as discussed in Executive Session. Motion passed with all in favor and none opposed.

15. Adjournment.

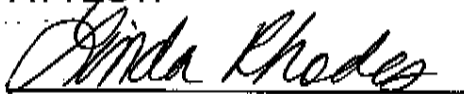
There being no further business, Mayor Walter Bowen closed the Council meeting at 8:09 p.m.

APPROVED:



Walter Bowen, Mayor

ATTEST:


Linda Rhodes, TRMC/CMC
City Secretary