

**MINUTES OF THE REGULAR MEETING  
OF THE CITY COUNCIL OF THE CITY OF LAKE WORTH, TEXAS  
HELD IN CITY HALL, COUNCIL CHAMBERS, 3805 ADAM GRUBB  
TUESDAY, DECEMBER 10, 2019  
REGULAR MEETING: 6:30 PM**

**A. CALL TO ORDER.**

Mayor Walter Bowen called the Council meeting to order at 6:30 p.m.

**A.1 INVOCATION AND PLEDGE OF ALLEGIANCE.**

Pastor Zac Hatton with Lake Worth Baptist Church gave the invocation. Attendees recited the pledge of allegiance.

**A.2 ROLL CALL.**

Present:	Walter Bowen Jim Smith Geoffrey White Sue Wenger Ronny Parsley Pat O. Hill Gary Stuard Clint Narmore	Mayor Mayor Pro Tem, Place 1 Council, Place 2 Council, Place 3 Council, Place 4 Council, Place 5 Council, Place 6 Council, Place 12
Staff:	Stacey Almond Debbie Whitley Monica Solko Ryan Arthur JT Manoushagian James Sullivan Kelly McDonald Barry Barber Suzanne Meason	City Manager Assistant City Manager/Finance Director City Secretary Division Chief / Fire Operations Chief of Police Public Works Superintendent Purchasing Coordinator/Risk Manager Planning and Development Director Planning and Zoning Administrator
Absent:	Drew Larkin	City Attorney

### **A.3 SPECIAL PRESENTATION(S) AND RECOGNITION(S)**

#### **1. WELCOME AND INTRODUCTION – PUBLIC OFFICIAL, PUBLIC EMPLOYEE OR CITIZEN.**

Mayor Bowen administered the oath of office to the new Chief of Police, J.T. Manoushagian.

#### **A.4 CITIZEN PRESENTATION / VISITOR COMMENTS**

There were no requests to speak from the public.

#### **A.5 REMOVAL OF CONSENT AGENDA**

No items were removed from the consent agenda.

### **B. CONSIDER APPROVAL OF CONSENT AGENDA ITEMS APPROVED**

#### **B.1 APPROVE FINANCE REPORTS FOR THE MONTH OF NOVEMBER 2019.**

#### **B.2 CONSIDER APPROVAL OF AN INTERLOCAL AGREEMENT (CO# 131642) WITH TARRANT COUNTY FOR FY 2019-2020 FOR RECONSTRUCTION AND ASPHALT OVERLAY PROJECTS AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT.**

#### **B.3 CONSIDER RESOLUTION NO. 2019-20, APPROVING THE LOCAL PROJECT ADVANCE FUNDING AGREEMENT BETWEEN TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND THE CITY OF LAKE WORTH FOR THE DESIGN AND INSTALLATION OF THE GREEN RIBBON LANDSCAPE IMPROVEMENTS AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT.**

#### **B.4 CONSIDER APPROVAL OF INTERLOCAL AGREEMENT WITH TARRANT COUNTY FOR FY 2019–2020 ROADWAY STRIPING AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT.**

#### **B.5 CONSIDER APPROVAL OF THE PURCHASE OF ASPHALT ROAD SURFACING PRODUCTS FOR FY 2019 - 2020 IN AN AMOUNT NOT TO EXCEED \$350,000 FOR STREET PROJECTS AND GENERAL REPAIRS, UTILIZING THE TARRANT COUNTY COOPERATIVE PURCHASING AGREEMENT.**

**A MOTION WAS MADE BY COUNCIL MEMBER STUARD, SECONDED BY COUNCIL MEMBER PARSLEY TO APPROVE THE CONSENT AGENDA.**

**MOTION TO APPROVE CARRIED 7-0.**

### **C. PUBLIC HEARINGS**

**C.1 PUBLIC HEARING TO CONSIDER ORDINANCE NO. 1165, PLANNING AND ZONING CASE NO. PZ-2019-31, CHANGING THE ZONING DISTRICT AND USE CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (SF1) AND PLANNED COMMERCIAL (PC) TO MIXED USE PLANNED DEVELOPMENT (MU-PD) ZONING DISTRICT AND USE CLASSIFICATION ON APPROXIMATELY SEVENTY-ONE (71) ACRES OF LAND, MORE COMMONLY KNOWN AS THE AREA LOCATED NORTH OF HIGHWAY 199, WEST OF THE CITY LIMIT LINE, SOUTH OF AZLE AVENUE, AND EAST OF INTERSTATE 820. (PLANNING & ZONING COMMISSION RECOMMENDED APPROVAL BY A 7-0 VOTE).**

#### **APPROVED**

Mayor Bowen opened the public hearing at 6:44 p.m. and called on Ms. Meason to present the item.

Planning and Zoning Administrator Suzanne Meason summarized the item. The City is in the process of rezoning approximately 10% of the City's current zoning districts to replace older zoning districts with new Comprehensive Zoning Districts. City staff, along with the city consultant, developed new regulations and associated maps that were presented to the Lake Worth Planning and Zoning Commission and the City Council at the joint meeting on November 12, 2019 and were adopted. The rezoning of the Broadview West Addition of the City is to clean up the current zoning of the properties in that area that are mixed throughout, and have it conform with the City's Future Land Use Plan which was adopted in April 2018. The property owners of the Broadview West Addition of the City were sent a detailed letter along with the public hearing notice explaining the zoning change request. On Monday, October 28, 2019 as required by State law, the city mailed out one hundred twenty-eight (128) letters of Notification for Public Hearing to all property owners within two hundred (200') feet of the subject sites. Notice was also published in the City's newspaper of record, the Fort Worth Star Telegram on Saturday, November 2, 2019. Staff received 5 public comment forms back in favor (3 of those owning multiple properties) and 1 back in opposition of the rezoning as of the packet preparation date. The Planning and Zoning Commission recommended approval by a 7-0 vote.

Mayor Bowen called for anyone wishing to speak for or against the request to come forward.

There being no one wishing to speak, Mayor Bowen closed the public hearing at 6:45 p.m. and called for the motion.

**A MOTION WAS MADE BY MAYOR PRO TEM SMITH, SECONDED BY COUNCIL MEMBER STUARD TO APPROVE ORDINANCE NO. 1165, PZ 2019-31, AS PRESENTED**

**MOTION TO APPROVE CARRIED 7-0.**

## **D. PLANNING AND DEVELOPMENT**

### **D.1 DISCUSS AND CONSIDER RESOLUTION NO. 2019-25, APPOINTING MEMBERS TO THE PLANNING AND ZONING COMMISSION (CONTINUED FROM NOVEMBER 12, 2019 COUNCIL MEETING).**

#### **APPROVED**

Planning and Zoning Administrator Suzanne Meason summarized the item. At the November 12, 2019 City Council meeting, staff was directed to compile additional candidate information for Council to review before making appointments.

Mayor Pro Tem Smith asked if there was an issue with the previous format of appointments and if there had been an instance where there was a lack of quorum for a meeting. City Manager Stacy Almond explained that with the approval of the new zoning ordinance, the new regulations called for five regular members and two alternate members. There are currently seven members to the commission, so staff is requesting direction on placement of candidates, whether a regular member or alternate. The alternate position is still required to attend all meetings, they would be part of the discussion but would not be able to vote unless a regular member was absent. Also, there have been instances where a meeting was close to not having a quorum, so the regulations were changed to decrease the minimum number of members needed to make a quorum. This would allow some flexibility to all appointed members.

**A MOTION WAS MADE BY COUNCIL MEMBER WENGER, SECONDED BY COUNCIL MEMBER NARMORE TO APPROVE RESOLUTION No. 2019-25 APPOINTING DIANE SMITH TO PLACE 1, SHERRIE WATKINS TO PLACE 2, JEANNIE TURLEY TO PLACE 3, PATTY BIGGERS TO PLACE 4, TROY JONES TO PLACE 5, COY PENNINGTON TO ALTERNATE, PLACE 6 AND DON RILEY TO ALTERNATE, PLACE 7.**

**MOTION TO APPROVE CARRIED 4-3, WITH COUNCIL MEMBERS WHITE, WENGER, PARSLEY AND NARMORE VOTING IN FAVOR AND COUNCIL MEMBERS HILL, STUARD AND MAYOR PRO TEM SMITH VOTING AGAINST.**

## **E. PUBLIC WORKS**

No items for this category.

## F. GENERAL ITEMS

### F.1 DISCUSS AND CONSIDER APPROVAL OF A WAIVER TO ALLOW FOR COMMON REPRESENTATION WITH TAYLOR, OLSON, ADKINS, SRALLA, & ELAM (TOASE) TO NEGOTIATE AN INTERLOCAL AGREEMENT FOR FIRE SERVICES BETWEEN THE CITY OF LAKE WORTH AND THE CITY OF RIVER OAKS.

#### APPROVED

City Manager Stacey Almond presented the item. The City of Lake Worth sent official notice to the City of River Oaks and the City of Sansom Park advising them of our intent to renegotiate the terms of our interlocal agreement for fire services. Staff has completed the new interlocal agreement and desires to have our City Attorney, Drew Larkin, review the agreement for completeness and providing advice concerning the proposal. Mr. Larkin's firm represents both Lake Worth and River Oaks, therefore a Conflict of Interest Waiver must be approved by the City Council of both entities. This will allow TOASE to assist both cities possess little risk to Lake Worth and can be undertaken impartially. With respect to client confidences, TOASE would still be obligated to maintain any confidences given to them by Lake Worth. However, attorney - client privilege does not extend to commonly represented clients. Staff and TOASE do not view the cities' relationship or discussion over this matter as antagonistic or unfriendly, nor do we foresee the negotiations becoming contentious. If Council desires not to approve the waiver for the Interlocal Agreement for Fire Services Lake Worth would need to seek counsel, other than TOASE, for this negotiation.

**A MOTION WAS MADE BY COUNCIL MEMBER STUARD, SECONDED BY COUNCIL MEMBER HILL TO APPROVE THE A WAIVER TO ALLOW FOR COMMON REPRESENTATION WITH TAYLOR, OLSON, ADKINS, SRALLA & ELAM (TOASE) TO NEGOTIATE AND INTERLOCAL AGREEMENT FOR FIRE SERVICES BETWEEN THE CITY OF LAKE WORTH AND THE CITY OF RIVER OAKS.**

**MOTION TO APPROVE CARRIED 7-0.**

### F.2 DISCUSS AND RECEIVE FEEDBACK ON THE 2019 BULLFROG WEST FEST. UPDATE

City Manager Stacey Almond presented the item. The city had various meetings and e-mail correspondence with the Northwest Tarrant (NWT) Lions Club and Chute 2 Productions in reference to the Bullfrog West Fest event. In an effort to provide information and recommendations to the Council staff reached out to other local municipalities that host rodeo's with Chute 2 Productions. Staff had lengthy discussions to gain insight on the operation, cost and overall event functions with Granbury, Haslet, Springtown, and Plano. It was after these discussions that staff realized the excellent opportunity to host the Bullfrog West Fest event in Lake Worth. Due to the high traffic area and our centralized geographic location staff believed that the city, local community, businesses and hoteliers would benefit from increased participation on the city's behalf. Staff then discussed the potential for the city to host the event and developed a tentative plan for participation. The plan consisted of a concert in the park (one headline band with

1-2 smaller opening acts), food trucks, beer sales, offsite parking, promotion through advertisement, along with sponsorship opportunities. Ms. Almond also spoke on the estimated costs associated with hosting the event and gave a timeline of meeting dates with the NWT Lions Club and Chute 2 Productions as the planning for the event took place. She highlighted some lessons learned from the event and things that could be improved on if Council's wishes were to move forward hosting the event or if Council would like to host a separate event.

Council members White asked Ms. Almond if she had any public comments from her perspective she would like to share about the event. Ms. Almond stated that the overall event was successful, but it would be difficult for the city to continue a relationship with the Bullfrog West Fest together with the NWT Lions Club and Chute 2 Productions. The city would like to change the event times, but it would be difficult without overlapping the rodeo event times, the city also needed a little more control over food vendors which proved to be difficult, and parking arrangements were unsuccessful with the two organizations. The Bullfrog West Fest has been going on for some time before the city got involved, making the organizers set in their ways on how they want to conduct business. Our initial meetings with them, seemed like they were open to our participation in the event but as the event went along that somewhat changed. It was her recommendation on behalf of staff and the city that if the Council would like to do a largescale event like Bullfrog, the city do it independently of the NWT Lions Club and Chute 2 Productions.

Council member White also commented that he and his family had been brutalized over the past two years on the event. The first year was because he did not support the event, but he did support the event the second year and spoke in favor of it as the city would be the face and host of the whole event. He further stated that his name had been smeared in the community over asking questions about the event last year. These questions were only to help him come to a better decision on whether or not to support the event. He and others on Council members were brutalized over their decision not to support the event and added that derogatory comments were made towards him and his family because of his lack of support.

Mayor Bowen asked if the organizers had approached the City to reserve the park for the event next year. Ms. Almond stated they had reached out to the city. She added that staff had a recap meeting in which the organizers were invited to discuss the overall event and ways in which we could improve upon it. At the conclusion of the meeting, the organizers informed the city that they would only allow the city to provide finances that could be used at their leisure. Ms. Almond informed them that the city would not participate in that manner and the organizers left the meeting and stated they were done doing business with the city.

**AFTER FURTHER DISCUSSION, THE COUNCIL CONSENSUS WAS NOT TO PARTICIPATE IN THE BULLFROG WEST FEST EVENT NOR TO ALLOW THE USE OF THE CITY PARK FOR THE EVENT.**

**F.3 DISCUSS AND RECEIVE AN UPDATE ON THE CITY OF LAKE WORTH'S RECORDS MANAGEMENT PROGRAM.  
UPDATE**

City Secretary Monica Solko summarized the item. This item is an update on the Records Management program for 2019. City staff has continued working on the backlog of scanning and the purging of duplicate copies and records that have met retention. This year, staff has imaged approximately 64,000 records, purged approximately 14,000 records and have cut down paper records to be transferred to records storage to wait out retention from 76 boxes to 13 boxes this year. In the past, paper records were boxed and stored at the records center to wait out their time before purging them. These records are now imaged and stored as the city original while the paper copy is destroyed. Records management is an ongoing process and with the increased regulations each year, a good records management program is essential. City staff will continue to focus on the preservation of quality records and reduction of paper. This is a team effort and each department has not only been scanning daily city transactions but have also been working on the backlog of records.

Ms. Almond commented that the overall city goal is go paperless by 2021.

**NO ACTION REQUIRED BY CITY COUNCIL.**

**G. TxDOT UPDATE(S)**

**G.1 DISCUSS AND RECEIVE FEEDBACK ON THE TXDOT – SH 199 PROJECT**

City Manager Stacey Almond presented the item. Council member White and city staff attended the following meetings to discuss the upcoming TxDOT projects in, and around, Lake Worth:

November 19th - Meeting with Commissioner Johnson, Judge Whitley and State Representative Geren.

- This meeting was set to show Judge Whitley and Representative Geren the animations created by Lake Worth. Discussion topics at the meeting were opposition to elevation, severe economic impact to Lake Worth, over-design, and desire for BCR and Azle Ave to be included in the proposed project.
- All in attendance agreed that we must evaluate the entire area and the traffic together and not independent of one another.
- The general understanding is we only get one opportunity to get this project right.

December 9th - Meeting at Judge Whitley's office with State Representative Geren and members of TxDOT Fort Worth Division (Regional Director) to discuss local issues with the SH 199 proposed project.

- The meeting we set at Judge Whitley's office and the animation was sent to the Regional Director ahead of time as not take up too much of their time. Council member White and Ms. Almond attended the meeting to answer any questions

in behalf of the city but Judge Whitley and Representative Geren did most of the heavy lifting for the city.

- This resulted in us asking them to completely scratch the entire program, go back to square one, with no elevation, minimal depression if none, and keep SH 199 as an urban collector.
- The issues with the 1886 project to Azle Avenue: those plans are at 90% complete and TxDOT was asked on Monday to back those plans up to the bridge, as to not affect what will happen with the city.
- Other good news, we have been saying you cannot evaluate SH 199 and 820 without evaluating Azle Avenue and Boat Club Road. So, TxDOT has agreed to insert those two roads into the entire scope of the project. The city will be sending over the Kimley-Horn drawings that Council approved.

## **H. MAYOR AND COUNCIL ITEM(S)**

### **H.1 UPDATE ON TARRANT COUNTY MAYOR'S COUNCIL BY MAYOR BOWEN**

Mayor Bowen announced the Mayor's Council Annual Banquet took place last Monday, December 2 at the Ridglea Country Club where the new slate of officers were voted in.

### **I. EXECUTIVE SESSION**

No items for this category.

### **J. EXECUTIVE SESSION ITEMS – CITY COUNCIL MAY TAKE ACTION ON ANY ITEMS DISCUSSED IN EXECUTIVE SESSION LISTED ON THE AGENDA.**

No action required as a result of Executive Session.

### **K. ADJOURNMENT**

Mayor Walter Bowen adjourned the meeting at 7:31 p.m.

**APPROVED**

By: \_\_\_\_\_  
Walter Bowen, Mayor

**ATTEST:**

\_\_\_\_\_  
Monica Solko, City Secretary