

December 12, 2023

7:00 PM

Council Chambers

ATTENDEES:

| | |
|------------------------|-------------------|
| Mayor | L. Kelly Jones |
| Council Member | Phillip Poole |
| Council Member | Brian Libbey |
| Council Member | Michael Dingman |
| Council Member | Robert Fitzgerald |
| Council Member | Halden Griffith |
| City Administrator/Sec | Brandy Barrett |
| Police Chief | Kevin Reaves |
| City Attorney | Brenda McDonald |

ABSENT:

| | |
|-----------------------|---------------|
| Deputy City Secretary | Elisa Greubel |
|-----------------------|---------------|

CALL TO ORDER by Mayor Jones at 7:00 PM

INVOCATION was given by Councilman Libbey.

PLEDGE OF ALLEGIANCE was led by Mayor Jones.

SPECIAL PRESENTATION in honor of Captain Mark McLean's retirement.

- Councilman Libbey read and presented a proclamation declaring November 14, 2023, as Captain Mark McLean Day in honor of his years of service to our great nation.
- Mayor Jones presented Captain McLean with a photograph of his favorite aircraft, which he had flown numerous missions in over the course of his career.

REGULAR SESSION:

1. MOTION to approve the agenda.

- **MADE BY:** Halden Griffith. **SECOND:** Phillip Poole
- **Motion passed** by a vote of 5 Ayes and 0 Nays.

2. Approval of the Consent Agenda:

All matters listed as Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

A. Approval of the Minutes:

- Council Meeting – November 14, 2023

B. Approval of the Financial Reports:

- TexPool Report
- TexStar Report
- A/P Disbursements

| BALANCES | GENERAL | WATER | CRIME CONTROL | CAPITAL PROJECTS | DEBT SERVICE | STREET | WRA | HCGC | GAS ROYALTIES |
|----------------|-------------|-------------|---------------|------------------|--------------|-----------|-----------|-------------|---------------|
| Nov-23 | | | | | | | | | |
| Revenue * | \$18,097 | \$139,637 | \$63,679 | \$1,133 | \$227 | \$31,839 | \$33,449 | \$88,615 | \$0 |
| Disbursement * | \$256,844 | \$98,732 | \$50,913 | \$0 | \$0 | \$7,757 | \$14,710 | \$93,390 | \$0 |
| Cash on Hand | \$54,214 | \$334,276 | \$463,075 | \$267,099 | \$3,349 | \$275,217 | \$204,304 | \$241,608 | \$49,193 |
| TexPool | \$3,534,338 | \$126,403 | 0 | \$257,702 | \$51,704 | 0 | \$366,029 | 0 | 0 |
| TexStar | \$743,631 | \$1,601,515 | \$154,748 | \$412,662 | \$133,119 | 0 | \$223,891 | \$1,010,856 | \$2,063,392 |

* Month end closings/Jes and bank reconciliation pending.

MOTION to approve the Consent Agenda.

- **MADE BY:** Mike Dingman. **SECOND:** Robert Fitzgerald.
- **Motion passed** by a vote of 5 Ayes and 0 Nays.

3. STAFF UPDATES: *The Department Directors recapped their monthly reports.*

- Chief Reaves promoted Officer Scott Steward to the rank of Sergeant and swore in Jason Pinion as the newest patrol officer. In addition, Officer Alex Garcia was presented with the Lifesaving award.

4. MAYOR'S REPORT *The mayor provided a brief recap of the previous 30 days in office.*

5. COMMITTEE UPDATES:

- Councilman Libbey provided a brief recap of the CCPD/Public Safety meeting, noting their recommendations for items on this agenda.

6. PUBLIC INFORMATION/ANNOUNCEMENTS

A. Announcements and Proclamations

- City offices will be closed on December 25th and 26th in observance of Christmas.
- City offices will be closed on January 1st in observance of New Year's Day.

B. Meetings

- Planning and Zoning Commission, January 2nd at 6pm
- Long Range Planning Advisory Board, January 9th at 6pm
- Regular Council meeting, January 9th at 7:00pm

C. Citizen Comments

- Daniel Bennett, 408 Pemberton St

7. Public Hearings, Briefings and Action Items:

A. Public Hearing

Mayor Jones opened a Public Hearing at 7:47PM to receive citizen comments and input on the Planning and Zoning Commission recommendation to allow artificial turf behind a privacy fence in SFR-1, SFR-2 and SFR-3, requiring 5-foot setbacks and at an amount of the lesser of 400 square feet or 5% of the surface of the lot.

The following spoke on support of the project:

- Teddy Berdan, 5722 Popken Drive

Mayor Jones closed the Public Hearing at 8:15 PM.

B. Mayor Jones

Discuss and take action on Ordinance 507 modifying the Comprehensive Zoning Plan to allow artificial turf. *(The Planning and Zoning Commission has recommended allowing artificial turf behind a privacy fence in SFR-1, SFR-2 and SFR-3, requiring 5-foot setbacks and at an amount of the lesser of 400 square feet or 5% of the total surface of the lot.)*

MOTION to postpone action to the January 9th council meeting.

- **MADE BY:** Mike Dingman. **SECOND:** Phillip Poole.
- Staff was asked to review and consider the document Mr. Berdan handed out and council would individually submit suggestions to the Mayor and Ms. Barrett by the end of the month.
- **Motion passed** by a vote of 5 Ayes and 0 Nays.

C. Mayor Jones

Discuss and take action on the CCPD recommendation to install a reflective cross walk and signage on the south side of Popken straight across Burton Hill Road and install the required ADA curb cuts. *(Staff was asked to get an approximate cost for the project prior to the council meeting.)*

MOTION to accept staff recommendation and spend up to \$30,000 from Street maintenance to install reflective cross walk and signage going from the North side of Popken across the street to the sidewalk on the south side of the city entrance, complying with ADA standards.

- **MADE BY:** Mike Dingman. **SECOND:** Robert Fitzgerald.
- Staff was directed to obtain at least three quotes before proceeding.
- **Motion passed** by a vote of 5 Ayes, 0 Nays

D. Mayor Jones

Discuss and take action on the CCPD recommendation to install 7 “caution xing ahead” painted signs on the bike trail at the locations identified by Chief Reaves. *(Staff was asked to get an approximate cost for the project prior to the council meeting.)*

MOTION to accept CCPD recommendation to install “caution xing ahead” painted signs on the bike trail at the locations identified by Chief Reaves.

- **MADE BY:** Mike Dingman. **SECOND:** Robert Fitzgerald.
- Staff was directed to obtain at least three quotes before proceeding.
- **Motion passed** by a vote of 5 Ayes, 0 Nays

Councilman Dingman stepped out of the room at 8:58pm, returning at 9:01pm.

E. Public Hearing

Mayor Jones opened a Public Hearing at 9:04PM, to receive citizen comments and input on the adoption Ordinance 508 adding Article 1.13 adopting a Code of Ethics applicable to all elected and appointed officials of the city. The following spoke on the topic:

- Anita Gray, 111 Koldin Lane
- Margaret Worthington, 5700 Tracyne
- Imran Khan, 5836 Carb Drive

Mayor Jones closed the Public Hearing at 9:15PM.

F. Mayor Jones

Discuss and take action on Ordinance 508 adding Article 1.13 adopting a Code of Ethics applicable to all elected and appointed officials of the city. *(On June 13, 2023, Mayor Jones appointed an Ad hoc committee, naming Lance Rahn, Barbara Deakins and Judge Russell Nelms as members and chaired by Councilman Fitzgerald, to write a Code of Ethics.)*

A lengthy discussion took place regarding the following: the purpose and need for an ethics code, why Open Meetings Act and Open Records Acts are included, the need to identify what is already state law verses city additions, the desire for additional time for comments from citizens and other committee and board members, and a significant number of typographical errors and duplicates that needed to be addressed. The city attorney was asked to highlight the state laws in the document and send it back to the mayor and council.

MOTION to postpone this item to the January 9th meeting.

- **MADE BY:** Brian Libbey. **SECOND:** Mike Dingman.
- **Motion passed** by a vote of 5 Ayes and 0 Nays.

G. Mayor Jones

Discuss and take action on an Ordinance adding Article 8.02 Sections 8.02.001 through 8.02.030 of the Westworth Village Code of Ordinances providing for a definition of the sale of Delta 8 and Kratom, establishing restrictions, enforcement, and penalties. *(The council postpone discussion and action on this item at the prior meeting.)*

MOTION to take no action and postpone this item indefinitely.

- **MADE BY:** Phillip Poole. **SECOND:** Halden Griffith.
- **Motion passed** by a vote of 3 Ayes and 2 Nays (Dingman, Libbey).
- Discussion then took place regarding the action of indefinite postponement verses denial, and it was decided that a denial would be more appropriate in this case.

MOTION to deny the proposed ordinance.

- **MADE BY:** Phillip Poole. **SECOND:** Halden Griffith.
- **Motion passed** by a vote of 5 Ayes and 0 Nays.

H. Mayor Jones

Discuss and take action on Resolution 2024-01 casting the 2 votes for members of the Tarrant Area Appraisal Board of Directors. *(Resolution and ballot are due on December 15th.)*

MOTION to cast one vote for Mr. Vince Puente, Sr., and one vote for Mr. Gary Losado.

- **MADE BY:** Phillip Poole. **SECOND:** Mike Dingman.
- **Motion passed** by a vote of 5 Ayes and 0 Nays.

EXECUTIVE SESSION:

Mayor Jones convened in closed executive session at 10:08 PM to deliberate the following items:

A. Consultation with attorney pursuant to Texas Government Code Section 551.072.

- Receive legal advice and discuss status of the Burgess property condemnation.
- Receive legal advice and discuss status of the Blue Atlantic tax refund litigation.
- Receive legal advice and discuss status of the St. Anne & St. Joachim, LLC litigation.

B. Deliberation of personnel matters pursuant to Texas Government Code Section 551.074

- Discuss personnel matters.

Mayor Jones re-convened in open session at 10:30PM, and no action was taken.


The meeting was adjourned at 10:30 PM by Mayor Jones.

MINUTES APPROVED BY:



L. Kelly Jones, Mayor

SIGNATURE ATTESTED BY:



Brandy G. Barrett, TRMC
City Administrator/City Secretary

