



City of Westworth Village  
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**REGULAR CITY COUNCIL MEETING MINUTES**

**TUESDAY  
FEBRUARY 14, 2012**

**PRE-COUNCIL SESSION: 6:45 PM  
REGULAR SESSION: 7:00 PM**

<b>ATTENDEES:</b>	Mayor	Anthony Yeager
	Mayor Pro-Tem	Kelly Jones
	Council Member	Jill Patton
	Council Member	Mike Coleman
	City Administrator	Roger Unger
	City Secretary	Carol Ann Borges
	Police Chief	Douglas Reim
	Fire Chief	Don Day
	HC Director of Golf	David Curwen
	Code Enforcement Officer	Ryan Studdard
	City Attorney	George Staples
<b>ABSENT:</b>	Council Member	Nick Encke
	Council Member	Randy Kressler
<b>GUESTS:</b>	Norm Bulaich	IESI / Progressive Waste
	Marilyn Ackmann	Atmos Energy
	Robert McGee, Alex Garcia	Freese & Nichols Engineers
	Attorney Mike Hassett	Jones Hassett Attorneys

**PRE-COUNCIL SESSION CALLED TO ORDER at 6:47pm by Mayor Yeager.**

Action items announced individually. Discussion of agenda items, as follows:

- #7B: Mayor Yeager stated that there will not be discussion on personnel issues in executive session.
- #7G: Roger Unger stated street maintenance sales tax nets the City approximately \$230,000/ year in revenue. This revenue is designated for street maintenance only.
- #7H: Councilman Mike Coleman summarized the revisions to the Traffic & Vehicle ordinance.
- #7I: Roger Unger stated that since the zoning ordinance has been amended, potential future apartment complexes will be held to a higher standard than the old ordinance allowed. Roger recommends lifting the moratorium.

**PRE-COUNCIL CLOSED at 6:54pm by Mayor Yeager.**

**REGULAR COUNCIL MEETING CALLED TO ORDER at 7:02pm by Mayor Yeager.**

**INVOCATION offered by Pastor Mayberry of the Baptist Temple Church.**

**PLEDGE OF ALLEGIANCE led by Mayor Yeager.**

**1. Approval of the Agenda**

**MOTION** to approve the Agenda: Jill Patton. **SECOND:** Mike Coleman.

Motion passed unanimously by a vote of 3 Ayes and 0 Nays.

**2. Approval of the Consent Agenda:**

**MOTION** to approve the Consent Agenda: Mike Coleman. **SECOND:** Kelly Jones.

Motion passed unanimously by a vote of 3 Ayes and 0 Nays.

The following consent agenda items were approved.

**A. Approval of the Minutes:**

- Regular Council Meeting – January 10, 2012

**B. Approval of January's Financial Reports:**

- TexPool Report
- Monthly Disbursements Report
- Monthly Variance Report

<b>FUND BALANCES JANUARY 2012</b>	<b>GENERAL FUND</b>	<b>WATER FUND</b>	<b>CAPITAL PROJECTS</b>	<b>CRIME CONTROL</b>	<b>DEBT SERVICE</b>	<b>WRA</b>	<b>HAWKS CREEK GOLF CLUB</b>
<b>Monthly Revenue</b>	\$ 202,094	\$ 75,060	\$ 0	\$ 40,878	\$ 95,146	\$ 10,318	\$ 90,425
<b>Monthly Disbursement</b>	\$ 223,619	\$ 67,215	\$ 73,793	\$ 30,192	\$ 0	\$ 21,179	\$ 103,142
<b>TexPool Balance</b>	\$ 481,917	\$ 399,684	\$ 520,448	\$ 59,183	\$ 202,231	\$531,813	N/A
<b>Cash on Hand</b>	\$ 96,203	\$ 108,619	\$ 146	\$83,830	\$ 743	\$13,490	\$ 206,620
<b>CDARS Investment</b>	\$ 1,472,378	\$ 490,841	\$1,428,690	N/A	N/A	\$ 1,464,690	N/A
<b>CDARS Interest to Date</b>	\$ 1,896	\$ 1,752	\$ 3,229	N/A	N/A	\$ 1,254	N/A

**C. Employee Changes**

- Chief Reim introduced Police Officer J.D. Lee, who moved from reserve to full-time status on January 16<sup>th</sup>. Mayor Yeager and Council welcomed Officer Lee and his family to the City.

### 3. Staff Updates:

#### A. Doug Reim, Police Chief

- **PD Calls for Service:** Calls for Service = 297/1276 YTD; Self-Initiated Calls = 937/4051 YTD; Other Calls = 377/1593 YTD; Incarcerations = 35/175 YTD; counts are tracking well year-to-year.
- **Municipal Court Report:** Citations = 116; Violation = 177
- **ECA Training:** This is last full week of classroom training. Final exams and licenses will be completed by June 1<sup>st</sup>. Chief reported that officers have accepted the responsibility and see the value in this training. MedStar is also very satisfied with staff performance. Two officers have stated their interest in EMT training. Chief hopes that funds will be made available in the future.
- Chief confirmed to Councilman Coleman that the **panhandling ordinance** will give increased enforcement procedures to the PD.
- Chief Reim thanked Sterling Naron and his Officers for their efforts in searching for a lost person on the Course.

#### B. Ryan Studdard, Code Enforcement

- **Code Enforcement Report:** 128 code violations and 4 citations. Ryan has seen significant improvement in the appearance of the alleys and along fence lines.
- The building at the corner of Pumphrey Drive and Westworth Blvd has been demolished due to safety hazards. Walmart is restriping the fire lanes and handicapped parking areas.

#### C. Don Day, Fire Chief

- **Fire Calls for Service:** Total calls 24, including 11 EMS, 8 Fire calls, and 5 Mutual Aid calls to River Oaks; average response “in city” was 4.7 minutes; total of 221.5 volunteer hours; 45 on-call hours; 96.5 hours at the station. There were 80 training hours on Ventilation Power Point, Ventilation Simulator, SCBA Power Point, and SCBA Drill.
- Chief confirmed that the Dept’s **volunteer roster** has been steady so he will back-off advertising for more volunteers.
- Mayor Pro-Tem Jones stated that the **Oversight Committee** will be moving to enhance our Fire Dept, to make it more attractive to potential volunteers, with regard to annual physical funding, required volunteer hours, and remodeling of the station.

#### D. David Curwen, Director of Golf

- David Curwen thanked the Mayor, Council, and staff for their support throughout his wife’s recent illness.
- **Sterling Naron** received his Class A status from the Golf Course Superintendents Association of America. This is a distinct honor within the Superintendent profession.
- **Rounds played** in January = 1720; **Revenue** \$86,433; Preferred Player Program is going well.
- Holes in the line at the intake pipeline from the irrigation lake were repaired. Leaks at the joints may need further repair.

#### E. Roger Unger, City Administrator

- **Capital Projects/Infrastructure:** CDBG project on **Aton Avenue** has been approved. Tarrant County will provide \$78,000 in funds. **Tanny Street** project should be completed by end of March. Item 7E is to accept bids for the **Carb Dr/Holloway St** project, which came in \$300K under estimate.

- **Budget/Disbursements: Revenue** is slow in first quarter of year; expected to pick-up. **WRA** legal expenses are higher than budgeted due to lawsuit. Technology expenses at **HCGC** are higher than budgeted due to computer replacements, including servers. Online reservation program is in the works. We have received the first draft audit for FY10-11. An updated draft is expected by the end of the week.
- **Library Report:** Library patronage continues to be consistent. Roger reminded the audience that the library building was given to the City as part of a grant from the federal government, whereby its use must be for a public library with inspection occurring every five years.

**F. Carol Borges, City Secretary**

- Collaborating with Joel Killian on the website design has been very successful. We will 'go live' this coming weekend. A formal announcement will be placed in the next newsletter, which also includes our new logo. URL: [www.cityofwestworth.com](http://www.cityofwestworth.com)

**4. Committee Updates:**

**A. Finance Committee/Audit Committee - Council Member Kelly Jones, Chair**

- Roger stated that management findings were minimal compared to previous years' audits. Paula Lowe, Engagement Partner from PB&H Auditors will attend the Committee meeting on February 28<sup>th</sup>.

**B. Fire Dept Oversight Committee - Council Member Kelly Jones, Chair**

- The Consolidation Committee found that one of the cities has a very different objective and perspective on how to pool our resources. The Oversight Committee and Chief Day will refocus their energy on making Westworth's Fire Dept an even better department.

**C. Library Committee - Council Member Jill Patton, Chair – No updates to report, at this time.**

**D. Ordinance Committee – Mike Coleman, Committee Member**

- Review of all ordinances is expected to be complete in March.

**5. Public Information**

**A. Communications:**

- **Westworth Park Homeowners Association's response to variance request for property at 500 Calera Place.**

**B. Announcements: None**

**C. Citizen Comments:**

- **Monte Hannah** addressed Council regarding junk and inoperable vehicles versus antique vehicles.
- **Patti Harrell** addressed Council regarding damage to wrought iron fence by street project construction crew and Code Enforcement citation received due to overgrown branches. Ms Harrell requested to be placed on the March agenda.
- **Melva Campbell** thanked the Public Works crew for repairing the street at the school. Ms Campbell also discussed debris left behind by the street project construction crew.

6. **Executive Session called at 7:46pm**, with Mayor Yeager, Council, Roger Unger, Attorney Mike Hassett, Attorney George Staples, and P&Z Chair Melva Campbell to deliberate item 6A. Item 6B will not be discussed.

**Convene into executive session to deliberate the following items:**

- A. Pursuant to Texas Government Code, Chapter 551.071 Consultation with Attorney regarding pending litigation.**
- B. Pursuant to Texas Government Code, Chapter 551.074 Personnel Matters.**

**Reconvene into Regular Session at 8:11pm.**

**7. Action Items:**

**A. Mayor Yeager**

Discuss and take action with regard to **pending litigation**, as discussed in Executive Session.

- **No action taken.**

**B. Mayor Yeager**

Discuss and take action with regard to **personnel matters**, as discussed in Executive Session.

- **This item was not discussed in executive session. No action taken.**

**C. Roger Unger, City Administrator**

Discuss and take action with regard to **IESI's rate adjustment request, to be effective March 1, 2012.**

- Norm Bulaich addressed Council, stating that this request is made per the existing contract. It will result in a 3.04% increase in both residential and commercial customers. Roger recommended approval, per the contract.
- **MOTION** made by Mike Coleman to approve the rate adjustment, effective March 1, 2012. **SECOND** by Kelly Jones. **Motion passed unanimously** by a vote of 3 Ayes and 0 Nays.

**D. Roger Unger, City Administrator**

Discuss and take action to **approve Resolution No. 2012-01 suspending the proposed effective date of the proposed rate schedules of the Mid-Tex Division of Atmos Energy.**

- Marilyn Ackmann addressed Council, requesting suspension for 90-days so the rate can be negotiated. Roger recommended approval.
- **MOTION** made by Kelly Jones to approve Resolution No. 2012-01 as written. **SECOND** by Jill Patton. **Motion passed unanimously** by a vote of 3 Ayes and 0 Nays.

**E. Roger Unger, City Administrator**

Discuss and take action to **accept or reject bids on Carb/Holloway project.**

- Robert McGee from Freese & Nichols discussed bids received on February 8th. The lowest bid, from Reliable Paving, was more than \$380K lower than anticipated. The City will receive \$78,000 from the Tarrant County Community Development Block Grant and the City will fund the balance of \$937,185. Freese & Nichols is satisfied with the reference checks on Reliable. Roger Unger advised approval of the bid.
- **MOTION** made by Kelly Jones to approve the bid from Reliable Paving Inc, in the amount of \$1,015,185, for the Carb Drive and Holloway Street Improvements Project, with the City paying the remaining \$937,185. **SECOND** by Jill Patton. **Motion passed unanimously**, by a vote of 3 Ayes and 0 Nays.

**F. Mayor Yeager**

Discuss and take action to **adopt Ordinance No. 331 to CALL a GENERAL ELECTION on May 12<sup>th</sup>, or such date as determined by the Texas Secretary of State, to elect Council Places 2, 3, and 4.**

- Candidate applications must be submitted to the City Secretary's office by March 5<sup>th</sup>.
- **MOTION** made by Jill Patton to adopt Ordinance No. 331 as written. **SECOND** by Mike Coleman. **Motion passed unanimously**, by a vote of 3 Ayes and 0 Nays.

**G. Mayor Yeager**

Discuss and take action to **adopt Ordinance No. 332 to CALL a SPECIAL ELECTION on May 12<sup>th</sup>, or such date as determined by the Texas Secretary of State, to reauthorize the Street Maintenance Sales Tax of ¼%, for another four years.**

- Per Texas Tax Code 327.007, an election to reauthorize the tax is required every four years.
- **MOTION** made by Mike Coleman to adopt Ordinance No. 332 as written. **SECOND** by Kelly Jones. **Motion passed unanimously**, by a vote of 3 Ayes and 0 Nays.

**H. Councilman Mike Coleman**

Discuss and take action to **amend and approve revisions to the Code of Ordinances, Article 12, Traffic & Vehicles.**

- Mike Coleman presented proposed revisions regarding the practice of illegally blocking sidewalks, etc. Roger recommended approval but suggests that enforcement come after a period of education and initial warnings.
- **MOTION** made by Mike Coleman to amend and approve revisions to the Code of Ordinances, Article 12, Traffic & Vehicles, as presented. **SECOND** by Kelly Jones. **Motion passed unanimously**, by a vote of 3 Ayes and 0 Nays.

**I. Mayor Yeager**

Discuss and take action to **lift the 120-Day Moratorium on Multi-Family construction permits that was enacted on December 13, 2011.**

- **MOTION** made by Kelly Jones as written. **SECOND** by Jill Patton. **Motion passed unanimously**, by a vote of 3 Ayes and 0 Nays.

Mayor Yeager thanked Mayor Pro-Tem Jones for postponing a trip to attend tonight's meeting in order to achieve a quorum.

**ADJOURNED at 8:28pm by Mayor Yeager.**

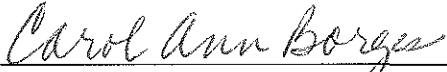
**MINUTES APPROVED BY:**



**Anthony Yeager, Mayor  
City of Westworth Village, TX**

This, the 13<sup>th</sup> day of MARCH, 2012.

**SIGNATURE ATTESTED BY:**



**Carol Ann Borges, City Secretary  
City of Westworth Village, TX**

