



City of Westworth Village
311 Burton Hill Road • Westworth Village, TX 76114
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REGULAR CITY COUNCIL MEETING MINUTES

DATE: MAY 14, 2013
PRE-COUNCIL SESSION: 6:45 PM
REGULAR SESSION: 7:00 PM

MUNICIPAL COMPLEX
COUNCIL CHAMBERS
311 BURTON HILL ROAD

ATTENDEES:

Mayor	Tony Yeager
Mayor Pro-Tem	Kelly Jones
Council Member	Nick Encke
Council Member	Steve Beckman
Council Member	Mike Coleman
City Administrator	Roger Unger
City Secretary	Carol Borges
Police Chief	Doug Reim
Police Officer	Oscar Mendez
Police Officer	William Petty and family
Police Corporal	Stuart Darby
Fire Chief	John Rodriguez
HC Director of Golf	David Curwen
HC Superintendent	Sterling Naron
Code Enforcement	Ryan Studdard
City Attorney	George Staples
Municipal Judge	Ken Gordon
Associate Judge	Atticus Gill
P&Z Chair	Melva Campbell

ABSENT:

Council Member	Jill Patton
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GUESTS:

Burton Hill Elem Principal	Tamera Dugan
Southwest Securities	John Martin
Southwest Securities	Joe Dieker
McCall, Parkhurst & Horton	Jeff Gulbas, Bond Attorney

PRE-COUNCIL SESSION cancelled by Mayor Yeager.

REGULAR COUNCIL MEETING CALLED TO ORDER at 7:13pm by Mayor Yeager.

INVOCATION offered by Roger Unger.

PLEDGE OF ALLEGIANCE led by Mayor Yeager.

1. Approval of the Agenda

MOTION by Kelly Jones to approve the Agenda and move up Agenda Item 7-O immediately following the consent agenda. **SECOND:** Steve Beckman. **Motion passed unanimously** by a vote of 4 Ayes and 0 Nays.

2. Approval of the Consent Agenda:

MOTION to approve the Consent Agenda: Mike Coleman. **SECOND:** Steve Beckman. **Motion passed unanimously** by a vote of 4 Ayes and 0 Nays.

The following consent agenda items were approved.

A. Approval of the Minutes*:

- Regular Council Meeting – April 9, 2013
- Special Council Work Session Report* – April 15, 2013

B. Approval of April's Financial Reports:

- TexPool Report
- A/P Disbursements Report
- Monthly Variance Report

FUND BALANCES APRIL 2013	GENERAL FUND	WATER FUND	CAPITAL PROJECTS	CRIME CONTROL	DEBT SERVICE	WRA	HAWKS CREEK GOLF CLUB
Monthly Revenue	\$220,749	\$97,170	\$83,146	\$34,839	\$2,313	\$5,250	\$156,446
Monthly Disbursement	\$207,534	\$49,495	\$44,770	\$31,520	\$0	\$10,356	\$155,918
TexPool Balance	\$418,447	\$400,226	\$660,993	\$3,234	\$341,954	\$161,150	N/A
Cash on Hand	\$150,120	\$123,897	\$121,376	\$71,421	\$559	\$549	\$350,102
CDARS Investment	\$1,281,636	\$695,937	\$496,785	N/A	N/A	\$1,718,577	N/A
CDARS Interest to Date	\$2,731	\$1,089	\$1,384	N/A	N/A	\$3,123	N/A

Agenda Item 7-O was moved up from later on the agenda:

City Administrator Roger Unger

Discuss and take action to **pass Resolution No. 2013-03 to authorize publication of Notice of Intention to Issue Certificates of Obligation; and resolving other matters relating to the subject.**

- Councilman Kelly Jones, Chairman of the Finance Committee, thanked the representatives from Southwest Securities for their presentation earlier in the evening. The Committee, along with staff, recommends approval of moving forward with the CO process. City Secretary Carol Borges is working with Bond Counsel to publish notices as required by law. The Council will hold a Special Meeting on June 25th, at 7pm, for a final vote to issue COs.
- **MOTION** made by Kelly Jones to pass Resolution No. 2013-03 authorizing publication of Notice of Intention to Issue Certificates of Obligation. **SECOND** by Nick Encke. **Motion passed unanimously** by a vote of 4 Ayes and 0 Nays.

3. Staff Updates:

A. Doug Reim, Police Chief

- **PD Reports April** - Priority Calls for Service 340, FYTD 2057; Self-Initiated Calls 1287, FYTD 8239; Citations 220, FYTD 1576; Violations 346; Jail 53; FYTD 362; Westover Hills Jail Service generated \$200 in revenue; Lakeside Jail & Dispatch Services generated \$3786 in revenue.
- **Swearing-in Officer William Petty** – Chief Reim administered the Oath of Office. Mayor Yeager and Council congratulated Officer Petty. Officer Petty is happy to have joined the City.
- **Accommodation of Officer Oscar Mendez** – Chief Reim recognized Officer Mendez for his handling of a delicate police incident where a school teacher was found with a minor in an inappropriate way. The Tarrant County District Attorney's office also noted Officer Mendez's professionalism throughout the case.
- **Recognition of Burton Hill Elementary Penny Drive in support of Special Olympics** – Chief Reim presented a certificate to Principal Dugan on behalf of the Special Olympics for the school's support and contribution to the fundraising efforts. Ms Dugan accepted the recognition on behalf of all the students.

B. Ryan Studdard, Code Enforcement

- **Code Enforcement Report** – 55 Warnings and 4 Citations were issued in April. Ryan continues to receive general compliance once an issue is identified and brought to the resident's attention.
- **Building Inspection Report** – 48 Inspections were completed in April.

C. John Rodriguez, Fire Chief

- **FD Report** - Total calls 36, including 1 Fire, 7 Medical Assists, 13 EMS, 1 Chemical, 3 Lift Assists, and 11 other calls; average response "in city" was 4.10 minutes; total of 242.5 shift hours. There were 214.5 training hours on Vehicle Extrication, Water Supply class and hose skills, Hose Loads, and Clinical Responsibilities (EMS CEs).

D. David Curwen, Director of Golf of the Hawks Creek Golf Club

- **Golf Club Report** – 3566 Rounds; \$174,163 Revenue; Closed for 3 days; 71 Total Preferred Players. Seven (7) events were held in April. Tuesday Night Men's League started up. New sod was laid in several locations. Additional fairway aerification completed on high golf cart traffic spots. Several cold fronts forced closure of the course and slowed turf growth.

- **Survey regarding short game area** has been sent out. Preliminary response is good; 282 responders. More data is needed to present a clear action plan to Council. The National Golf Foundation is willing to create a feasibility study. These concepts will help determine the long-term goals for the Club. Nine of ten golfers use public facilities which relates to 75% of golf revenue. Public courses are vitally important to the industry.
- Nick Encke complimented the HC staff, as well as the PD staff, for an excellent tournament in support of Special Olympics. Mayor Yeager thanked the Council for agreeing to host the tournament.

E. Roger Unger, City Administrator

- **Capital Projects/Infrastructure** – Tracyne West waterline is complete; the street reconstruction will begin next week. Aton East & West waterline is under construction. TCEQ audited the City's storm water permit. Many thanks to Larry, Melanie, Ryan, and Freese & Nichols in putting together the data to submit to TCEQ. The City received many compliments from TCEQ.
- **Budget/Disbursements** – Items were discussed in the Finance Committee meeting, with the same audience in attendance, prior to the Council meeting.
- **Public Works Service Order Report** is included in packet.
- **Public Works Clean-Up Event** – Total of 64 households participated. Thanks to staff for the extra hours it takes to host this event.
- **Library** – Librarian is doing an excellent job for the City. New summer programs will be initiated this year.

4. Committee Updates:

- A. Finance Committee** - Kelly Jones, Chair – The Committee met at 6pm this evening to receive information from Southwest Securities regarding the potential issuance of Certificates of Obligation, which will allow the City to continue its aggressive Capital Improvements Plan. The Council took action this evening to move forward with required notices.
- B. Fire Dept Oversight Committee** – Kelly Jones, Chair – Chairman Jones asked Carol to check schedules and set a date and time for a Committee meeting in the next few weeks. Discussion will include the future of the department, engine needs, radio mandates, and the option of contracting with Fort Worth for fire services. Chairman Jones stated he wants to work with the Chief to provide for our own department. Budget appropriation is the biggest deciding factor. Chief Rodriguez will present his budget in July.
- C. Library Committee** - Jill Patton, Chair – No update.
- D. Ordinance Committee** - Mike Coleman, Chair – Two ordinances requested by Chief Reim on the agenda this evening.
- E. Vision Committee** - Steve Beckman, Chair – Nothing to report.

5. Public Information

- A. Communications:** None
- B. Announcements:** None

C. Proclamations:

- **National Military Appreciation Month** read aloud by Nick Encke.
- **National Police Week, May 12-18 (Peace Officers' Memorial Day, May 15)** read aloud by Mike Coleman. Mayor Yeager stated the US Flag will be at half-staff on May 15th.

D. Citizen Comments:

- Mrs Melva Campbell stated a **new minister will be joining the Church of Christ on July 1st**. He will be available to the Police Dept and other first responders of the City whenever needed.

6. Executive Session called at 8:02pm with the City Administrator Roger Unger, City Attorney George Staples and TOASE Attorney Dan Barrett in attendance.

Convene into executive session to deliberate the following item, pursuant to Texas Government Code, Chapter 551.071 Consultation with Attorney regarding pending or contemplated litigation.

Reconvened into Regular Session at 8:27pm.

7. Action Items:

A. Mayor Yeager

Discuss and take action to **pass Resolution No. 2013-02 authorizing the legal challenge of the tax exemption status of Hawks Creek Apartments, as discussed in Executive Session.**

- **MOTION** by Mike Coleman to pass **Resolution No. 2013-02 authorizing the legal challenge of the tax exemption status of Hawks Creek Apartments. SECOND** by Kelly Jones. **Motion passed unanimously** by a vote of 4 Ayes and 0 Nays.

B. Mayor Yeager

Discuss and take appropriate action to **administer the Oath of Office and issue Certificates of Election to the elected Council members.**

- Municipal Judge Ken Gordon administered the Oaths of Office, as follows: **Mayor Tony Yeager, Council Place 1 Kelly Jones, and Council Place 5 Mike Coleman.**
- Mayor Yeager expressed his appreciation to the residents, staff, Council, and to the spouses of the Council Members. He is humbled by the continued faith in his administration as shown by the ability to cancel the election this year. Councilman Jones thanked the Mayor for his leadership. Councilman Coleman expressed he is happy to serve the City; it has been a great experience.

C. Mayor Yeager

Discuss and take action to **elect a Mayor Pro-Tem.**

- **MOTION** made by Steve Beckman to **re-elect Kelly Jones as Mayor Pro-Tem. SECOND** by Nick Encke. **Motion passed unanimously** by a vote of 4 Ayes and 0 Nays.
- Mayor Pro-Tem Jones stated he is appreciative and honored by his colleagues' continued confidence.

D. Mayor Yeager

Discuss and take action to **appoint members to the Finance Committee.**

- **MOTION** made by Steve Beckman to **re-appoint the current members:** Kelly Jones, Jill Patton, Nick Encke, Steve Beckman, and Mike Coleman, to the Finance Committee. **SECOND** by Kelly Jones. **Motion passed unanimously** by a vote of 4 Ayes and 0 Nays.

E. Mayor Yeager

Discuss and take action to **appoint members to the Planning & Zoning Commission.**

- Members are appointed to two year terms, Current members:
 - Expire May 31, 2013: Darla Thornton, Margaret Worthington, Tom Weaver, and Jim Evans.
 - Expire May 31, 2014: Melva Campbell, Jeanette Jones, and Michael Lewis.
- Commission Chair Melva Campbell stated that all but one have indicated they would like to continue serving. Jim Evans has asked to be relieved of his duties. Last year there were two new applicants. Melva requested City Secretary Carol Borges make contact to inquire if they are still interested and for appointment to fill Jim's place be made at the next Council meeting. Mayor Yeager so directed.
- **MOTION** made by Kelly Jones to appoint Darla Thornton, Margaret Worthington, and Tom Weaver to serve until May 2015; and Melva Campbell, Jeanette Jones, and Michael Lewis until May 2014. **SECOND** by Mike Coleman. **Motion passed unanimously** by a vote of 4 Ayes and 0 Nays.

F. Mayor Yeager

Discuss and take action to **adopt Ordinance No. 354, appointing the Judge and Associate Judge to the Westworth Village Court of Record.**

- These appointments coincide with the term of the Mayor. Chief Reim stated both Judges are doing a phenomenal job.
- **MOTION** made by Nick Encke to adopt Ordinance No. 354 appointing **Ken Gordon as Judge and Atticus Gill as Associate Judge** to the Westworth Village Court of Record. **SECOND** by Steve Beckman. **Motion passed unanimously** by a vote of 4 Ayes and 0 Nays.
- Mayor Yeager thanked both men for their service to the City.

G. Mayor Yeager

Discuss and take action to **designate Nova credentialed physicians as the City's Health Officers.**

- City Secretary Carol Borges stated this is an annual appointment as required in the City's By-Laws. Dr Anil Bangale of River Oaks has filled this appointment for years. Roger Unger and Carol Borges recommend moving to Nova Medical Center, who has been handling Workers' Comp for the City for over a year. They are prepared to act as the City's official health center for all medical needs.
- **MOTION** made by Mike Coleman to designate Nova credentialed physicians as the City's Health Officers. **SECOND** by Steve Beckman. **Motion passed unanimously** by a vote of 4 Ayes and 0 Nays.

H. Mayor Yeager

Discuss and take action to **adopt the Employee Handbook/Personnel Policies.**

- City Administrator Roger Unger stated the handbook needed to be revised to adhere to current employment laws and clear up conflicting statements within the book. The Mayor is the Personnel Officer and Administrator for the City per Texas Local Government Code.

- **MOTION** made by Nick Encke to adopt the Employee Handbook/Personnel Policies as presented. **SECOND** by Mike Coleman. **Motion passed unanimously** by a vote of 4 Ayes and 0 Nays.

I. City Administrator Roger Unger

Discuss and take action to **authorize the Mayor to sign a contract for Mutual Aid Fire Services with the NAS JRB.**

- Chief Rodriguez stated this is an annual contract; there is no change from previous contract.
- **MOTION** made by Steve Beckman as listed. **SECOND** by Nick Encke. **Motion passed unanimously** by a vote of 4 Ayes and 0 Nays.

J. City Administrator Roger Unger

Discuss and take action with respect to the use of **alternative exterior materials for property at 6150 Westworth Blvd.**

- This request is made per Ordinance 14.4.27(F) by Mr Brian Bogle of Bogle Construction, contractor for the homeowner. Roger stated the building is to be used as a private art studio (i.e. for personal use, not a business). Plans call for 24-gauge standing seam metal with baked on enamel matching the color of the siding and trim of the residence. The P&Z met earlier this evening and recommended approval of the use of the materials presented.
- **MOTION** made by Mike Coleman to approve the alternative exterior materials for property at 6150 Westworth Blvd. **SECOND** by Kelly Jones. **Motion passed unanimously** by a vote of 4 Ayes and 0 Nays.

K. City Administrator Roger Unger

Discuss and take action with regard to **amending the contract with TRWD for water supply at Hawks Creek Golf Club.**

- Roger stated as the City continues to enhance the course the water needs will also continue to increase. HCGC is currently withdrawing water under a temporary contract, the Tarrant Regional Water District (TRWD) is required to report to the Texas Natural Resource Conservation Commission (TNRCC). The proposed contract allows for a gradual rate increase of 15% per year over five years, at the wholesale rate. If this is not approved, the City will likely incur a triple rate fee within two years. A slight increase in green fees can fund the additional cost. Roger Unger, David Curwen, and Sterling Naron recommend approval.
- **MOTION** made by Steve Beckman to approve the amended contract with TRWD for water supply at HCGC as presented. **SECOND** by Kelly Jones. **Motion passed unanimously** by a vote of 4 Ayes and 0 Nays.

L. City Administrator Roger Unger

Discuss and take action to **approve requesting Tarrant County to include Koldin Lane North in the FY 12-13 Interlocal Road Resurface Agreement and authorizing additional funds to purchase materials as required.**

- Roger stated the County requires action by the Council to request and authorize additional funds in writing.
- **MOTION** made by Nick Encke as listed. **SECOND** by Mike Coleman. **Motion passed unanimously** by a vote of 4 Ayes and 0 Nays.

M. Police Chief Doug Reim

Discuss and take action to **adopt Ordinance No. 355, amending Code of Ordinances Chapter 4, Article 4.05, regarding alarm permits.**

- Chief Reim stated the existing alarm process is antiquated which increases the Calls for Service numbers. Mayor Pro-Tem Jones stated the City's program had been lenient compared to other cities.
- **MOTION** made by Kelly Jones to adopt Ordinance No. 355 as presented. **SECOND** by Steve Beckman. **Motion passed unanimously** by a vote of 4 Ayes and 0 Nays.

N. Police Chief Doug Reim

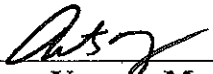
Discuss and take action to **adopt Ordinance No. 356, modifying the exceptions in relation to permit requirements for special events and parades.**

- Chief Reim worked with George Staples' office to write the ordinance with specific criteria to protect events at the main gate of the Base.
- **MOTION** made by Mike Coleman. **SECOND** by Nick Encke. **Motion passed unanimously** by a vote of 4 Ayes and 0 Nays.

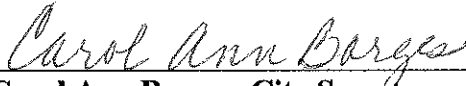
O. Resolution No. 2013-03 was moved up in the agenda. See after Item 2.

ADJOURNED at 9:00pm by Mayor Yeager.

MINUTES APPROVED BY:

 This, the 11th day of June, 2013.
Anthony Yeager, Mayor
City of Westworth Village, TX

SIGNATURE ATTESTED BY:


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

