



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

FEBRUARY 14, 2017
PRE-COUNCIL SESSION: 6:45 PM
REGULAR SESSION: 7:00PM

MUNICIPAL COMPLEX
COUNCIL CHAMBERS
311 BURTON HILL ROAD

ATTENDEES:

Mayor	Mike Coleman
Council Member	Carlos Zavala
Council Member	Jill Patton
Council Member	Steve Beckman
Council Member	Dan Novak
City Administrator	Roger Unger
City Secretary	Holly Owens
Police Chief	Kevin Reaves
Dir of Cmty Dev	David Curwen
Deputy City Admin	Sterling Naron
Deputy City Secretary	Charity Holman
PD Administrator	Brandy Barrett
Building Official	Nader Jeri
Librarian	Rhonda Hines
PW Supervisor	Joey Alvarez
PGA Head Gold Prof	Tony Collins
City Attorney	Ashley Dierker

ABSENTEES: Council Member Nick Encke

No Pre-Council was held.

CALL TO ORDER at 7:00 PM by Mayor Coleman

INVOCATION & PLEDGE OF ALLEGIANCE by Judy Talbot, Assistant Webelos Leader for Packs 48 & 1820. Pledge of Allegiance was led by the Webelos Cub Packs 48 & 1820.

PUBLIC HEARING: Mayor opened the public hearing at 7:03 pm.

1. Ordinance No. 405, Planned Development No. 7. An ordinance amending the comprehensive plan, the comprehensive zoning ordinance, and the zoning map of the City of Westworth Village, Texas, and rezoning a 6.678 acre tract of property from SF-R “Single Family Residential” to PD-7 (Single Family Residential with a Planned Development overlay zoning); establishing a penalty; providing for publication; and providing an effective date. (This item was discussed and approved at the Planning and Zoning Commission Meeting, January 31, 2017.)

- Roger Unger, City Administrator, explained “Exhibit B” of the ordinance. This was the old ARI property that was purchased by Fort Capital. This property is being rezoned from SF-R to PD-7. “Exhibit B” gives the minimal specifics for the lots and the development. Staff recommendations are as follows: Lot size - Lots 1-20, minimum lot size would be 5450 sq. ft. and Lots 21-33 would be 3400 sq. ft. Lot width – Lots 1-20 it would be reduced to 45-ft. with rear access for parking and Lots 21-33 would be reduced to 35-ft. with rear access for parking. Lot depth – Lots 1-20 meet the 120-ft. depth and Lots 21-33 would be 95-ft. which will gradually grow as you move north to south. Maximum density – Lots 1-20 will remain 6.6 dwelling units per acre and Lots 21-33 will be 11 dwelling units per acre. Front yard setbacks – The plat currently shows a 5-ft. front setback. The Staff recommends a 25-ft. front setback from the street. The rear yard setback is unchanged. The side yard setback is 5-ft. The minimum floor area per dwelling is 1600 sq. ft. but the developer stated that the minimum square footage would be minimum 2000 sq. ft. Roof pitch will be 4:12. Private streets 24-ft curb to curb. Gated community.
- No public comments.

Public Hearing closed at 7:10 pm.

REGULAR SESSION:

1. Approval of the Agenda.

- **Carlos Zavala, MOTIONED TO APPROVE the agenda, SECONDED by Jill Patton. Motion passed UNANIMOUSLY, 4-0.**

2. Approval of the Consent Agenda:

- **Steve Beckman, MOTIONED TO APPROVE the consent agenda, SECONDED by Dan Novak. Motion passed UNANIMOUSLY, 4-0.**
 - a. **Regular Council Meeting Minutes dated January 10, 2017.**
 - b. **January’s Financial Reports.**
 - c. **Ordinance 404-A**
 - d. **Ordinance 403-A**

3. Staff Updates.

A. Kevin Reaves, Police Chief

- **PD Report:**
 - 309 – Emergency Calls, 153– Priority 1, 345– Priority 2 and 3. 1,125 self-initiated calls, 498 administrative calls. (36% increase from last year).
- **Annual Report:**
 - Addition of officers and staff to the Police Department
 - Renovations to the call center.
 - Crime statistics for the year of 2016.
 - The report will be added to the website.

B. Nader Jeri, Building Official

- **Code Enforcement Report:**
 - 67 combination inspections done in-house. 48 code enforcement cases.
 - Self-Storage is making good progress and are on schedule. The masonry will be going up in about two weeks.
 - Starbucks is moving forward and move in date is scheduled for March 23rd.
 - The gas well site has installed a new sound barrier.

C. Rhonda Hines, Librarian

- **Library Report**
 - January numbers have increased.
 - Library just purchased some new books.
 - Had a resident donate dvds to the Library.
 - New hours for the Library are in affect.
 - Working on the summer programs.

D. Tony Collins, PGA Head Golf Professional

- **Golf Club Report**
 - 2,155 rounds for the month, \$85,584 revenue, 57 preferred players.
 - Green Fees were down 15%, Driving range, lessons and handicaps were up.
 - Discussed scheduled events for the course.
 - Discussed the maintenance report.

E. David Curwen, Director of Community Development

- **Community Development Report**
 - Site inspection for Lyle, Straley and Trigg walk thru was completed on January 20th with a small punch list of items to be completed. The ADA inspection was scheduled for February 8th.
 - Preparing the roadbed for paving along Casstevens Drive.
 - We have identified nine (9) alleys that run primarily between Tanney and the new Seymour Lane for improvements and paving so current residents and redevelopment construction will be able to navigate these alleys and have access to garages.

- Rezoning and PD-7 are on the agenda tonight, all of the old ARI housing has been demolished and the site is being prepared for the new development.
- PD-6 is coming back for a proposed amendment with a new plat being submitted with nine (9) lots allowing for eight (8) single attached residences and 1 common HOA lot consisting of entrance, green space and joint use parking on property.
- Westworth Plaza is on the agenda for a preliminary plat with site plans being submitted for commercial development.
- The waterlines at Westworth Falls have passed all pressure testing. All sewer lines have passed pressure testing and manholes have passed vacuum testing. Conatser Construction is scheduled to start moving in grading machines and start working on roads.
- Councilman Zavala asked about the park plans by the base and if there are any start up dates.
 - Airfield Falls: walked the area with Kimley Horn and will coordinate with Freese and Nichols to enter the trail head. Grand opening is scheduled for April 22nd.

F. Joey Alvarez, Public Works Supervisor

- **Public Works Service Order Report**
 - 127 completed service orders
 - AMA system update – 91% complete
 - Congratulations to the public works staff for certification completions.

G. Roger Unger, City Administrator

- TAP Grant is 90% complete.
- Variance report update. Sale tax is up 5%. Year to date sale tax is up 6%. The valorem tax base is starting to rise. Water revenues are up.
- Legal fees are over due to personnel issues and the lawsuit with Voices of Reason.
- Revenue short in court fees (fines and fees).
- Golf course fees are up due to upfront purchases for the year for chemicals which in the long run gives us a discount.

COMMITTEE UPDATES

A. Finance Committee – Councilman Steve Beckman, Chair

- FY 2015-2016 Audit was accepted at the Finance Committee on January 17, 2017.

B. Vision Committee – Councilman Steve Beckman, Chair

- Nothing to report.

C. Library Committee – Councilwoman Jill Patton, Chair

- Announced new committee members, Holly Owens and Sterling Naron.

D. Ordinance Committee – Councilman Dan Novak

- An ordinance is on the agenda that will be updated regarding the discharge of firearms within the city.

PUBLIC INFORMATION

A. Communications: Roger Unger

- Michael Hoffer and Jeff Gulbas are here in connection with Action Item G and will speak at that time.

B. Announcements: Holly Owens

- Explained the survey in regards to the Community Center and the Town Hall Meetings. The survey is a draft only and would like input from Council.
 - Steve Beckman asked about the process for the survey and whether or not Council will have additional input before the survey goes out.
 - Holly stated that the survey before them is a starting point and further input from Council is needed. The survey will go out only after Council has given a final approval.

ACTION ITEMS

A. Mayor Coleman

Discuss and take action on the **Concept Plan for Lots 1-33, Block 1, Magnolia West Addition on approximately 6.678 acres encompassed by Coleman, Seymour, Hwy 183 and alley from Coleman to Hwy 183; Connelly, Cornelius Survey, Abstract 3198, Tract 4C, Westworth Village, Tarrant County, TX.**

- Roger explained the concept plan for Magnolia West Addition. The concept plan matches the defined preliminary plat. Lots 1-20 will face a shared green space and these will be considered the larger lots. Lots 21-33 will be the smaller lots. This is in conjunction with Ordinance No. 405 which is the next item.
- Mayor Coleman stated that this highlights the section at Coleman and Magnolia that will be re-deeded back to the City.
- Roger stated that Coleman and Magnolia will be deeded back to the City but will not be shown until the Final Plat. The Final Plat will not come forward until the utilities are located.
- **Steve Beckman MOTION to APPROVE the Concept Plan for Lots 1-33, Block 1, Magnolia West Addition on approximately 6.678 acres encompassed by Coleman, Seymour, Hwy 183 and alley from Coleman to Hwy 183; Connelly, Cornelius Survey, Abstract 3198, Tract 4C, Westworth Village, Tarrant County, Texas, SECONDED by Dan Novak. Motion passed UNANIMOUSLY, 4-0.**

B. Mayor Coleman

Discuss and take action with regards to **Ordinance No. 405, Planned Development No. 7. An ordinance amending the comprehensive plan, the comprehensive zoning ordinance, and the zoning map of the City of Westworth Village, Texas,**

and rezoning a 6.678 acre tract of property from SF-R “Single Family Residential” to PD-7 (Single Family Residential with a Planned Development overlay) zoning; establishing a penalty; providing for publication; and providing an effective date. *(This item was discussed and approved at the Planning and Zoning Commission Meeting, January 31, 2017.)*

- Roger explained the difference between the current “Exhibit A” and what was shown in the Public Hearing.
- Carlos Zavala verified the front yard setback as discussed in the Public Hearing.
- Roger confirmed.
- **Steve Beckman MOTIONED to APPROVE Ordinance No. 405, with amendments recommended by Staff, Planned Development No. 7. An ordinance amending the comprehensive plan, the comprehensive zoning ordinance, and the zoning map of the City of Westworth Village, Texas, and rezoning a 6.678 acre tract of property from SF-R “Single Family Residential” to PD-7 (Single Family Residential with a Planned Development overlay) zoning, SECONDED by Jill Patton. Motion passed UNANIMOUSLY, 4-0.**

C. Mayor Coleman

Discuss and take action on the **Preliminary Plat for Westworth Village Plaza; Block 1, Lots 1-8; Connelly, Cornelius Survey, Abstract 319, Tract 4H8 & 4H4A and located at 6500 Westworth Boulevard, Westworth Village, Tarrant County, Texas.** *(This item was discussed and approved at the Planning and Zoning Commission Meeting, January 31, 2017.)*

- Carlos Zavala recused himself from this item due to Chapter 171, Texas Local Government Code, Conflict of Interest.
- Roger stated that this is a preliminary plat for 8 individual lots. This plat meets all requirements for platting. Once Staff acknowledges that the plat meets all requirements, Staff has 30 days to move it through Council.
- David explained the changes to the plat that came in yesterday, February 13th. Lots 3-7, the lot line changed.
- **Jill Patton MOTIONED to APPROVE the Preliminary Plat for Westworth Village Plaza; Block 1, Lots 1-8; Connelly, Cornelius Survey, Abstract 319, Tract 4H8 & 4H4A and located at 6500 Westworth Boulevard, Westworth Village, Tarrant County, Texas dated February 13, 2017, SECONDED by Steve Beckman. Motion passed UNANIMOUSLY, 3-0-1 (Carlos Zavala recused).**

D. Mayor Coleman

Discuss and take action to accept the **FY 2015-2016 Audit.** *(This item was discussed and accepted at the Finance Committee Meeting, January 17, 2017.)*

- Roger explained the audit as presented to the Finance Committee on January 17, 2017.
- **Steve Beckman MOTIONED to ACCEPT the FY 2015-2016 Audit, SECONDED by Carlos Zavala. Motion passed UNANIMOUSLY, 4-0.**

E. Mayor Coleman

Discuss and take action with regards to **Resolution No. 2017-03, a resolution designating the Fort Worth Star Telegram as the official newspaper of the City of Westworth Village and rescinding the previously designated official newspaper.** *(After researching amounts and circulation, we found that the Fort Worth Star Telegram is competitive in price and offers more flexibility to publish ads with a wider circulation.)*

- Holly explained that the price is comparable and allows Staff to post public hearings with more flexibility in a newspaper with a daily publication.
- Carlos Zavala asked what kind of legal ads require posting.
- Holly explained zoning changes, re-plats, any ordinance that requires a penalty. All of which are required to be posted 15 days prior to the public hearing. Our current newspaper only publishes every other week and we do not have the flexibility to plan accordingly with our meetings.
- **Dan Novak MOTIONED to APPROVE Resolution No. 2017-03, a resolution designating the Fort Worth Star Telegram as the official newspaper of the City of Westworth Village and rescinding the previously designated official newspaper, SECONDED by Jill Patton. Motion passed UNANIMOUSLY, 4-0.**

F. Mayor Coleman

Discuss and take action with regards to the **contract with Hilltop Securities, a financial advisor for the City of Westworth Village.** *(This is an annual contract that needs to be renewed.)*

- Roger explained that Hilltop Securities is a successor of Southwest Securities. John Martin has been the financial advisor for the city for all bond issues.
- **Carlos Zavala MOTIONED to APPROVE the contract with Hilltop Securities, a financial advisor for the City of Westworth Village, SECONDED by Steve Beckman. Motion passed UNANIMOUSLY, 4-0.**

G. Mayor Coleman

Discuss and take action with regards to **Resolution No. 2017-04, a resolution by the City Council of the City of Westworth Village, Texas; Ordering a bond election for capital improvements to be held on May 6, 2017; providing for the conduct and the giving notice of the election; providing an effective date; and enacting other provisions relating to the subject.**

- Roger explained that the bond is for a future community center. The bond election is to ask the citizens if they are willing to fund the cost of building the building. Michael Hoffer is here to show the concept plan for the community center and Jeff Gulbas is here to discuss the bond election rules on marketing.
- Michael Hoffer gave a presentation of the community center starting with the Site Plan, followed by the Floor Plan and ending with Elevations.
- Roger stated that the concept drawings will be on display here at City Hall.
- Steve Beckman asked if occupancy numbers had been configured.

- Michael stated that the numbers are a rough estimate.
- Jill Patton stated that we are not voting on the drawings at this time, only the bond election. Only if the bond election is called and approved, will the concept become more of a reality.
- **Carlos Zavala MOTIONED to APPROVE Resolution No. 2017-04, a resolution by the City Council of the City of Westworth Village, Texas; Ordering a bond election for capital improvements to be held on May 6, 2017; providing for the conduct and the giving notice of the election; providing an effective date; and enacting other provisions relating to the subject, SECONDED by Jill Patton. Motion passed UNANIMOUSLY, 4-0.**
- Jeff Gulbas explained Bond Election Best Practices.

H. Mayor Coleman

Discuss and take action with regards to **Ordinance No. 53-A, an amendment to the existing ordinance of the City of Westworth Village amending Chapter 8, Article 8.03.001, of the Westworth Village Code of Ordinances, modifying the exemptions therein.** *(This item is an amendment to Ordinance No. 53, approved February 22, 1960. The changes included have to do with the discharge of firearms within the city limits by a police officer.)*

- Brandy stated that this is updating an existing ordinance that needed to catch up with the current laws. Exemptions: Police officers discharging a weapon, a starter gun at an athletic event, and anyone protecting their home, their property or their life.
- **Dan Novak MOTIONED to APPROVE Ordinance No. 53-A, an amendment to the existing ordinance of the City of Westworth Village amending Chapter 8, Article 8.03.001, of the Westworth Village Code of Ordinances, modifying the exemptions therein, SECONDED by Steve Beckman. Motion passed UNANIMOUSLY, 4-0.**

I. Mayor Coleman

Discuss and take action with regards to the **contract with Kimley Horn and Associates including alley designs between Dennis Avenue, Carb Drive, Aton Drive, Tracyne Drive, Coleman Street, Pollard Street, Lyle Street, Straley Avenue and Trigg Drive encompassed between Roaring Springs Road and Tanny Street.**

- David explained the contract and the scope of services regarding the nine alleyways with the construction phases. There are already demolition permits for the following addresses: 5857 Coleman 5836 Coleman and 5817 Trigg. Pending: 5832 Coleman, 5825 Trigg and 5860 Trigg. In alley two, 2 homes would be affected, alley five, 2 homes affected and alley six, 1 home that will require rear entry garages.
- Mayor Coleman added that this ties back to developer agreements. Current residents do not have any additional cost. However, new homes must tie into the alleys and absorb some cost.
- David agreed.

- Carlos Zavala asked for clarification.
- Steve Beckman stated that if there is an alley, the developer would have to tie into the alley at their cost.
- Jill Patton asked about current residents who are already residing there who build garages on the rear portion of their property. What is their cost?
- Mayor Coleman stated that there would not be any additional cost to the current resident. Only new construction from the ground up.
- Carlos Zavala asked about completing the alleys before anymore demolitions.
- David stated the construction for the alleys will start promptly.
- Carlos Zavala asked about communication with the residents.
- Mayor Coleman stated yes.
- **Jill Patton MOTIONED to APPROVE the contract with Kimley Horn and Associates including alley designs between Dennis Avenue, Carb Drive, Aton Drive, Tracyne Drive, Coleman Street, Pollard Street, Lyle Street, Straley Avenue and Trigg Drive encompassed between Roaring Springs Road and Tanny Street, SECONDED by Steve Beckman. Motion passed UNANIMOUSLY, 4-0.**

J. Mayor Coleman

Discuss and take action with regards to the **contract with Perdue, Brandon, Fielder, Collins & Mott, L.L.P., for the collection of delinquent taxes.** (*David Crawford with Perdue, Brandon, Fielder, Collins & Mott, L.L.P. is here to discuss Action Item I and Action Item J.*)

- Roger stated that the City received notice from TOASE that they will no longer offer service for in house collection of delinquent taxes. However, Perdue, Brandon, Fielder, Collins & Mott, L.L.P. already does collections for the remainder of our accounts, so it seemed natural to add delinquent taxes to their services.
- David Crawford explained that his firm only handles collections and provides services to other municipalities and school districts. The current taxes that are not paid by January 31st, penalty and interest is added. By July 1st, it is turned over to us, our fee is added and we start the collection process.
- Mayor Coleman asked about Action Item K, Resolution No. 2017-05.
- David Crawford stated that the Resolution allows his firm to collect up to 20% versus the 15% that TOASE was collecting. This action is required by State Legislation.
- Dan Novak asked about the current client list.
- David Crawford stated that TOASE has already stepped down and my firm will contact the tax office tomorrow upon approval and begin immediately. Any agreements in place will continue without interruption.
- Roger added that the City of Westworth Village has a low number of residents who are delinquent. In most years, the city is at 100%.
- **Steve Beckman, MOTIONED to APPROVE the contract with Perdue, Brandon, Fielder, Collins & Mott, L.L.P., for the collection**

of delinquent taxes, **SECONDED** by Jill Patton. Motion passed **UNANIMOUSLY, 4-0.**

K. Mayor Coleman

Discuss and take action with regards to **Resolution No. 2017-05, a resolution providing for a penalty to defray costs of collecting delinquent property taxes pursuant to Texas Tax Code Sections 33.07 and 33.08.** *(This item will be published in the paper after approval per §3.07.(1).)*

- **Dan Novak MOTIONED to APPROVE Resolution No. 2017-05, a resolution providing for a penalty to defray costs of collecting delinquent property taxes pursuant to Texas Tax Code Sections 33.07 and 33.08, SECONDED by Carlos Zavala. Motion passed UNANIMOUSLY, 4-0.**

L. Mayor Coleman

Discuss and take action with regards to **setting a workshop date and time for March 7, 2017. The discussion will be future development.** *(This meeting will be subject to the Open Meetings Act, Tex. Gov't Code Chapter 551. However, this will be a workshop only with no action items on agenda.)*

- **Carlos Zavala MOTIONED to have the City Council Workshop dated March 7, 2017 at 6pm, SECONDED by Jill Patton. Motion passed UNANIMOUSLY, 4-0.**

EXECUTIVE SESSION: Mayor and Council entered into Executive Session at 8:50pm.

Convene into executive session to deliberate the following items:

- 1) **Section 551.071 – Consultation with Attorney pursuant to Texas Government Code Section 551.071 – Receive legal advice from the City Attorney concerning liability matters in which the duty of the City Attorney to the City’s governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code.**
- 2) **Section 551.074 – Personnel Matters pursuant to Texas Government Code Section 551.074 – Discuss the Planning and Zoning Commission and Police personnel matters.**

ACTION ITEMS CONTINUED at 9:58pm.

M. Mayor Coleman

Consider any action taken in Executive Session.

- Mayor Coleman stated that Council is removing Jeanette Jones from the Planning and Zoning Commission.
- **Jill Patton MOTION to REMOVE Jeanette Jones from the Planning and Zoning Commission, effective immediately, SECONDED by Steve Beckman. Motion passed UNANIMOUSLY, 4-0.**

CITIZEN COMMENTS

Melva Campbell, 124 Smallwood came forward. Mrs. Campbell commented on the speaker system, her neighborhood and the “Voices of Reason” Lawsuit.

Holly Owens, City Secretary, read a letter into record from Richard Cervenka, 6604 Fairway Drive, regarding fencing along proposed commercial development at Westworth Village Plaza.

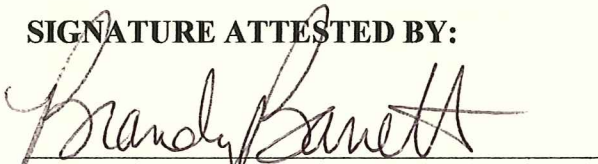
ADJOURNED at 10:05pm by Mayor Coleman.

Minutes taken by Holly Owens, City Secretary

MINUTES APPROVED BY:


Michael R. Coleman, Mayor

SIGNATURE ATTESTED BY:


Brandy Barrett, Acting City Secretary

