

CITY OF LAKE WORTH
Minutes for
City Council Public Hearing/Regular Meeting
Tuesday, July 12, 2016
6:30 P.M. – Council Chambers
3805 Adam Grubb • Lake Worth, Texas

1. Call to Order.

Mayor Pro-Tem Clint Narmore called the Council meeting to order at 6:30 p.m.

2. Invocation and Pledge of Allegiance.

Pastor Zach Hatton gave invocation. Attendees recited the pledge of allegiance.

3. Roll Call.

Council members present were Mayor Pro-Tem Clint Narmore, Jim Smith, Geoffrey White, Gene Ferguson, Ronny Parsley, Pat O. Hill, and Gary Stuard. Mayor Walter Bowen was absent.

Staff present was Brett McGuire, City Manager; Debbie Whitley, Assistant City Manager/Director of Finance; Linda Rhodes, City Secretary; Jimmy Womack, Chief of Police; Mike Christenson, Fire Chief; Jami Woodall, EDC Coordinator; Suzanne Meason, Planning and Zoning Coordinator; Barry Barber, Building Official; Sean Densmore, Public Works Director; and Steve Carpenter, Captain/Assistant Chief of Police. City Attorney Drew Larkin and City Engineer Misty Christian were present.

4. Consent Agenda:

- a. **Approval of minutes for the City Council Public Hearing/Regular meeting on June 14, 2016.**
- b. **Approval of minutes for the City Council Workshop/Special meeting on June 28, 2016.**
- c. **Approval of minutes for the City Council Workshop/Special meeting on July 5, 2016.**
- d. **Approval of Finance Reports for the month of June 2016.**

Mayor Pro-Tem Clint Narmore mentioned that there was a correction page submitted to Council for the June 14, 2016 Council minutes. Ronny Parsley made a motion, seconded by Pat Hill, to approve the Consent Agenda as presented. Motion passed with all that was present voting in favor and none opposed.

5. Presentations:

- a. **Proclamations/Awards/Presentations.**
There were no Proclamation/Award/Presentation Items.
- b. **Citizen/Visitor Comments.**
There were no Citizen/Visitor Comment Items.

Mayor Pro-Tem Clint Narmore announced that, as authorized by Chapter 551 of the Texas Government Code, at this time he would close Open Session so Council could convene into Executive Session at 6:34 p.m. pursuant to Section 551.071.

13. Executive Session:

As authorized by Chapter 551 of the Texas Government Code, the City Council reserves the right to convene into executive session as necessary during the course of this meeting to discuss the following:

Pursuant to the following sections:

- a. Section 551.071- Consultation with attorney with regard to any item posted on the agenda or pending or contemplated litigation, settlement offers, and/or claims.**

Mayor Pro-Tem Clint Narmore closed the Executive Session and reconvened into Open Session at 6:56 p.m.

6. Public Hearing/Action Items.

- a. Public Hearing/Action to consider Ordinance #1065, which is Planning and Zoning Case #PZ16-02, approving a land use designation change and development and site plan amendment for the purpose of removing the prohibition of alcohol sales for a Commercial/Retail Shopping Center as previously approved via Ordinance #1045 on June 9, 2015 and Ordinance #1054 on October 13, 2015 for Block 1, Lot 2R-2, Ritchie Brothers Addition, Lake Worth, Tarrant County, Texas; property commonly known as 6060 Rocky Point Trail.**

Mayor Pro-Tem Clint Narmore opened the Public Hearing at 6:59 p.m.

Suzanne Meason explained that the requested site plan amendment is to remove the prohibition of alcohol sales. Mr. Petrie is present for any questions Council may have.

Mr. Petrie addressed Council stating he has had several restaurants contact him with an interest in leasing the building, but there is a hindrance without the use of alcohol being allowed. He also noted that the building would be a good distance from the actual school building, even though it is adjacent to its property line.

There were no other persons present wishing to speak on this public hearing item.

Mayor Pro-Tem Clint Narmore closed the Public Hearing at 7:02 p.m.

Jim Smith made a motion, seconded by Gene Ferguson, to approve Ordinance #1065, which is Planning and Zoning Case #PZ16-02, as presented. Motion passed with all that were present voting in favor and none opposed.

7. Ordinances and Resolutions.

There were no Ordinance and Resolution Items.

8. Contracts/Agreements.

- a. **Authorize the City Manager to negotiate with the City of Fort Worth regarding Comanche Creek Crossing structure and authorize the City Manager to execute an Interlocal Agreement with the City of Fort Worth.**

Brett McGuire noted the City is finally getting close to an Interlocal Agreement with the City of Fort Worth. The City of Fort Worth has agreed to allocate funding of a little over one million dollars for the project. The City of Lake Worth's part would be about \$300,000; this is to cover some engineering costs and costs to enlarge water and sewer lines there. The City of Fort Worth is looking for our City Council to approve finishing negotiations and to sign an Interlocal Agreement. Council member Pat Hill asked about a time frame; Mr. McGuire stated that would be up to Fort Worth. He and the City Attorney are close to finalizing the wording in the Interlocal Agreement.

Gene Ferguson made a motion, seconded by Pat Hill, to authorize the City Manager to negotiate with the City of Fort Worth regarding Comanche Creek Crossing structure and authorize the City Manager to execute an Interlocal Agreement with the City of Fort Worth. Motion passed with all that was present voting in favor and none opposed.

- b. **Approval of additional funding in the amount of \$12,500.00 for asphalt repairs for the 41st Year Tarrant County Community Development Block Grant (CDBG) Lakewood Drive and Malta Drive Sanitary Sewer Rehabilitation Project, #B-15-UC-48-0001-44-50.**

Sean Densmore explained that, within the scope of work for the project, the roads on Lakewood Drive and Malta Drive did not hold up as expected; therefore, additional funding is needed to asphalt roads for the project. Council member Jim Smith asked where the funding would come from. Mr. McGuire stated it would come from the Street Maintenance Fund. The County owns the project; therefore, anything above and beyond the project's scope of work, the City has to approve and fund.

Jim Smith made a motion to approve this agenda item as presented, which is to approve the additional amount of \$12,500.00 from the Street Maintenance fund for asphalt repair which would increase the City's total contribution amount to \$72,382.02 for the 41st Year CDBG Project and to authorize the City Manager to approve and submit the proper documentation to the County. Gary Stuard seconded the motion. Motion passed with all that was present voting in favor and none opposed.

9. Bids, Proposals, and Specifications.

There were no Bid, Proposal, and Specification Items.

10. Discussion/Action Items.

- a. **Consideration of approving a variance request to the distance requirement as set out in subsection (a) of Section 4.108 "Sale of**

Alcoholic Beverages Near Churches, Schools, or Hospitals Prohibited” for property located at 6060 Rocky Point Trail.

Barry Barber explained that Mr. Petrie is requesting a variance from the 300’ distance requirement. His property is about 90’ from the school’s property line; however, it is about 700’ from the front door of the school’s building. Notification was sent to the Lake Worth Independent School District about the variance request. The LWISD Superintendent and School Board have indicated to the City that they have no problem with the request. Mr. Petrie is requesting approval from Council so that TABC can issue a permit. Council member Jim Smith asked if there was any written record that the LWISD is okay with the request. Mr. Barber stated it was verbal, but it could be requested in writing. Notification to the school district was not required; it was something the City provided as a courtesy.

Jim Smith made a motion, seconded by Gene Ferguson, to approve the variance request to the distance requirement as set out in subsection (a) of Section 4.108 of the City Code at 6060 Rocky Point Trail as presented. Motion passed with all that was present voting in favor and none opposed.

b. Authorization for the City Manager to terminate the agreement with GT Development, LLC (formerly Garfield Traub Development, LLC).

Brett McGuire noted that, as a result of the Council Workshop (June 28, 2016), a formal motion is needed to terminate services with GT Development, LLC.

Gary Stuard made a motion, seconded by Pat Hill, to authorize the City Manager to terminate the agreement with GT Development, LLC (formerly Garfield Traub Development, LLC). Motion passed with all that was present voting in favor and none opposed.

c. Selection/Approval of the MedStar (A.M.A.A.) subsidy rate for the City of Lake Worth for FY 2016/2017.

Brett McGuire stated staff recommendation is to leave the subsidy payment at \$0.00 with an estimated average bill of \$1,448.00.

Gene Ferguson made a motion, seconded by Pat Hill, to choose no subsidy payment (\$0.00) for FY 2016/2017. Motion passed with all that was present voting in favor and none opposed.

11. Mayor and Council Items.

a. Update on Tarrant County Mayor’s Council by Mayor Bowen.

Mayor Pro-Tem Clint Narmore had nothing to report on behalf of Mayor Bowen regarding the Tarrant County Mayor’s Council.

12. City Manager and Staff Reports.

a. City Manager Report(s):

1. Budget Workshop/Special meeting date.

Brett McGuire announced the Budget Workshop/Special meeting date is scheduled for Saturday, August 13, 2016 at the City Hall Conference Room. Council consensus was to begin at 8:30 a.m.

b. Chief of Police Report(s):

1. Date of next CCPD meeting.

Chief Jimmy Womack announced that the next Crime Control and Prevention District (CCPD) public hearing/meeting is scheduled for Tuesday, August 9, 2016 at 6:00 p.m. in the Council Chambers.

2. Introduce new Police Captain/Assistant Chief of Police.

Chief Womack introduced Steve Carpenter as the new Police Captain/Assistant Chief of Police. He has thirty (30) years with the City of Fort Worth Police Department.

c. EDC Coordinator Report(s):

1. EDC Quarterly Report.

Jami Woodall had nothing additional to add to the EDC Quarterly Report that was submitted in the Council packets.

d. Planning and Zoning Coordinator Report(s):

1. Acceptance of board member applications for the Planning and Zoning Commission and Board of Adjustment.

Suzanne Meason mentioned that the City is now accepting applications for members to serve on the Planning and Zoning Commission (P&Z) and the Board of Adjustment (BOA) for the upcoming expiring terms (and vacant ones on the BOA). Interested persons may submit an application to either Linda Rhodes or her. Notice is also posted on the City's website.

e. Public Works Director Report(s):

1. Update on City Projects.

Sean Densmore reported on the following projects:

- Azle Avenue Ground Storage Tank Project- tank removal has begun.
- Road Rehabilitation Projects- Tarrant County's machine has been down and is expected to be down for another week.
- Tarrant County's painting crew has now started on Navajo and Shawnee.

Executive Session was called earlier in the meeting right before Agenda Item #6.

13. Executive Session:

As authorized by Chapter 551 of the Texas Government Code, the City Council reserves the right to convene into executive session as necessary during the course of this meeting to discuss the following:

Pursuant to the following sections:

- a. Section 551.071- Consultation with attorney with regard to any item posted on the agenda or pending or contemplated litigation, settlement offers, and/or claims.**

14. Reconvene into Regular Session:

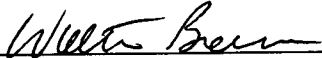
- a. Take any action necessary pursuant to Executive Session Item(s) as listed above.**

Action was taken on the item discussed under Agenda Item #6-a.

15. Adjourn.

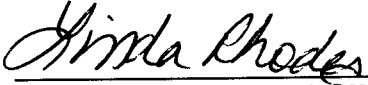
There being no further business, Mayor Pro-Tem Clint Narmore closed the Council meeting at 7:19 p.m.

APPROVED:



Walter Bowen, Mayor

ATTEST:



Linda Rhodes, TRMC/MMC
City Secretary