

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF LAKE WORTH, TEXAS
HELD IN CITY HALL, COUNCIL CHAMBERS, 3805 ADAM GRUBB
TUESDAY, MARCH 14, 2017**

REGULAR MEETING: 6:30 PM

1. CALL TO ORDER.

Mayor Walter Bowen called the Council meeting to order at 6:30 p.m.

2. INVOCATION AND PLEDGE OF ALLEGIANCE.

Pastor Zac Hatton with Lake Worth Baptist Church gave invocation. Attendees recited the pledge of allegiance.

3. ROLL CALL.

Present:	Walter Bowen	Mayor
	Clint Narmore	Mayor Pro Tem, Place 7
	Jim Smith	Council, Place 1
	Geoffrey White	Council, Place 2
	Gene Ferguson	Council, Place 3
	Ronny Parsley	Council, Place 4
	Pat O. Hill	Council, Place 5
	Gary Stuard	Council, Place 6
Staff:	Stacey Almond	City Manager
	Debbie Whitely	Assistant City Manager/Finance Director
	Monica Solko	City Secretary
	Drew Larkin	City Attorney
	Jimmy Womack	Police Chief
	Mike Christenson	Fire Chief
	Jami Woodall	Economic Development
	Sean Densmore	Public Works Director
	Barry Barber	Building Development Director
	Danielle Hackbusch	Human Resources/Risk Management
	Suzanne Meason	Planning and Zoning Administrator
	Todd Hensley	Engineer

4. CONSENT AGENDA

APPROVED

- a. APPROVAL OF MINUTES FOR THE CITY COUNCIL PUBLIC HEARING/REGULAR MEETING ON FEBRUARY 14, 2017.
- b. APPROVAL OF FINANCE REPORTS FOR THE MONTH OF FEBRUARY 2017.
- c. CONSIDER AN ORDINANCE #1076 AMENDING THE FISCAL YEAR BUDGET BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017 BY AMENDING LINE ITEM APPROPRIATIONS WITHIN THE GENERAL FUND AND THE WATER/SEWER FUND.
- d. APPROVAL OF AN EXPENDITURE, IN AN AMOUNT NOT TO EXCEED \$92,700 BY THE LAKE WORTH ECONOMIC DEVELOPMENT CORPORATION FOR THE CONSTRUCTION OF WATER UTILITIES.

No items were removed from the consent agenda.

COUNCIL MEMBER PARSLEY MADE A MOTION, SECONDED BY COUNCIL MEMBER SMITH, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION TO APPROVE CARRIED 7-0.

5. PRESENTATIONS

a. PROCLAMATIONS/AWARDS/PRESENTATIONS.

There were no presentation items.

b. CITIZEN/VISITOR COMMENTS.

There were no requests to speak from the public.

6. PUBLIC HEARING/ACTION ITEMS

- a. PUBLIC HEARING/ACTION FOR PLANNING AND ZONING CASE #PS17-01 TO CONSIDER A REQUEST FOR A REPLAT OF BLOCK 1, LOTS (SOUTH ½') 16 & ALL 17, TO BLOCK 1, LOT 17R, INDIAN OAKS SUBDIVISION, LAKE WORTH, TARRANT COUNTY, TEXAS; COMMONLY KNOWN AS 3337 HIAWATHA TRAIL.

APPROVED

Mayor Walter Bowen opened the Public Hearing.

Planning and Zoning Administrator Suzanne Meason explained that the applicant was requesting a replat on the property in order to build a home. The documents submitted meet all city requirements. The Planning and Zoning Commission recommended approval.

Mayor Bowen called for anyone wishing to speak for or against the request to come forward.

There being no one wishing to speak, Mayor Bowen closed the public hearing and called for the motion.

COUNCIL MEMBER SMITH MADE A MOTION, SECONDED BY MAYOR PRO TEM NARMORE, TO APPROVE PS17-01 AS PRESENTED.

MOTION TO APPROVE CARRIED 7-0.

7. ORDINANCES AND RESOLUTIONS

- a. DISCUSS AND CONSIDER APPROVAL OF AN ORDINANCE #1077 DECLARING UNOPPOSED CANDIDATES IN THE MAY 6, 2017 GENERAL CITY ELECTION TO OFFICE, CANCELING THE ELECTION AND APPROVING THE ORDER OF CANCELLATION.**

APPROVED

City Manager Stacey Almond presented the item. Council is being asked to approve an Ordinance declaring the unopposed candidates in the May 6, 2017 General City Election to office, canceling the election and approving the order of cancellation.

COUNCIL MEMBER PARSLEY MADE A MOTION, SECONDED BY COUNCIL MEMBER HILL, TO APPROVE AN ORDINANCE DECLARING UNOPPOSED CANDIDATES IN THE MAY 6, 2017 GENERAL CITY ELECTION TO OFFICE, CANCELING THE ELECTION AND APPROVING THE ORDER OF CANCELLATION AS PRESENTED.

MOTION TO APPROVE CARRIED 7-0.

- b. DISCUSS AND CONSIDER APPROVAL OF A RESOLUTION NO. 1018 REVISING JOB DESCRIPTIONS AND TITLES FOR THE ANIMAL CONTROL OFFICER, CUSTOMER SERVICE CLERK, DETECTIVE, FIRE MARSHAL/CAPTAIN, FIREFIGHTER, MUNICIPAL COURT CLERK, POLICE OFFICER-SRO, AND UTILITY BILLING CLERK.**

APPROVED

Human Resources/Risk Manager Danielle Hackbusch presented the item. Council is being asked to approve a Resolution revising job descriptions and titles for the Animal

Control Officer, Customer Service Clerk, Detective, Fire Marshal/Captain, Firefighter, Municipal Court Clerk, Police Officer-SRO, and Utility Billing Clerk. The requested changes will more accurately reflect the duties, responsibilities and physical abilities of each position.

COUNCIL MEMBER STUARD MADE A MOTION, SECONDED BY COUNCIL MEMBER WHITE, TO APPROVE A RESOLUTION REVISING JOB DESCRIPTION AND TITLES FOR THE ANIMAL CONTROL OFFICER; CUSTOMER SERVICE CLERK, DETECTIVE, FIRE MARSHAL/CAPTAIN, FIREFIGHTER, MUNICIPAL COURT CLERK, POLICE OFFICER-SRO AND UTILITY BILLING CLERK AS PRESENTED.

MOTION TO APPROVE CARRIED 7-0.

8. CONTRACTS/AGREEMENTS

a. DISCUSS AND CONSIDER EXTENDING THE DEPOSITORY SERVICES AGREEMENT WITH BANK OF TEXAS FOR A ONE (1) YEAR TERM.

APPROVED

City Manager Stacey Almond presented the item. The city currently uses the Bank of Texas for depository services. The agreement allows for two (2) additional one (1) year terms extensions. Council is being asked to approve the first one (1) year term extension in the depository services agreement with the Bank of Texas.

MAYOR PRO TEM NARMORE MADE A MOTION, SECONDED BY COUNCIL MEMBER STUARD, TO APPROVE EXTENDING THE DEPOSITORY SERVICES AGREEMENT WITH BANK OF TEXAS FOR A ONE (1) YEAR TERM AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE DOCUMENTATION.

MOTION TO APPROVE CARRIED 7-0.

b. DISCUSS AND CONSIDER SELECTING EXCEL 4 CONSTRUCTION, LLC. FOR THE 2017 LAKE WORTH SANITARY SEWER REHABILITATION PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR AN AMOUNT NOT TO EXCEED \$781,260.00.

APPROVED

Sean Densmore, Public Works Director summarized the item. The item is to consider the award bid and to authorize the City Manager to execute an agreement for the 2017 Lake Worth Sanitary Sewer Rehabilitation Project. The city requested competitive sealed proposals and received proposals from three (3) firms. Kimley-Horn's reviewed and evaluated the proposals and is recommending award of base bid and additive alternates #1, #2, and #3 to Excel 4 Construction, LLC. in an amount, not to exceed \$781,260.00.

COUNCIL MEMBER PARSLEY MADE A MOTION, SECONDED BY COUNCIL MEMBER HILL, TO AWARD THE 2017 LAKE WORTH SANITARY SEWER REHABILITATION PROJECT TO EXCEL 4 CONSTRUCTION, LLC. AN AMOUNT NOT TO EXCEED \$781,260.00 AND AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT.

MOTION TO APPROVE CARRIED 7-0.

9. BIDS, PROPOSALS, AND SPECIFICATIONS

There were no bids, proposals, and specification items.

10. DISCUSSION/ACTION ITEMS

- a. DISCUSS AND CONSIDER ACCEPTANCE OF THE FISCAL YEAR 2015-2016 ANNUAL AUDIT AS PREPARED AND PRESENTED BY SNOW GARRETT WILLIAMS, CERTIFIED PUBLIC ACCOUNTANTS.**

APPROVED

Assistant City Manager/Finance Director Debbie Whitley introduced Gaylyn Mendoza with Snow Garrett Williams to present the item. Ms. Mendoza went over the audit for fiscal year that ended September 30, 2016. The audit resulted in a good, clean opinion. Ms. Mendoza briefly went over a few pages and audit numbers. Overall, it was a good year for the City. No deficiencies in internal control were identified.

COUNCIL MEMBER STUARD MADE A MOTION, SECONDED BY MAYOR PRO TEM NARMORE, TO ACCEPT THE FY 2015-2016 ANNUAL AUDIT AS PREPARED AND PRESENTED BY SNOW GARRETT WILLIAMS, CERTIFIED PUBLIC ACCOUNTANTS.

MOTION TO APPROVE CARRIED 7-0.

- b. DISCUSS AND CONSIDER AMENDING ATTACHMENT "A" OF SECTION 5(b) ENTITLED OTHER RATE ADJUSTMENTS OF THE EXCLUSIVE FRANCHISE AGREEMENT FOR SOLID WASTE COLLECTION AND AUTHORIZING A 3.11% INCREASE IN SOLID WASTE.**

APPROVED

City Manager Stacey Almond summarized the item. On February 7, 2017, the city received a request from Waste Connections (previously Progressive Waste Solutions) for an increase in rates effective April 1, 2017. The City Council selected Waste Connections as the exclusive solid waste hauler for solid services in the City effective November 2015. Pursuant to Section 5 of the Franchise Agreement, the company shall have the right to increase the rates in accordance with the Consumer Price -Index Urban Consumers (CPI-U). Further, they can request a landfill disposal adjustment, due

to an increase in disposal cost. The amount requested is equal to \$0.27 per home or 3.11%.

Norm Bulaich with Waste Connections wanted to express his appreciation for the business. He was available to answer any questions.

COUNCIL MEMBER STUARD MADE A MOTION, SECONDED BY COUNCIL MEMBER PARSLEY, TO APPROVE THE AMENDMENT TO ATTACHMENT "A" OF SECTION 5(B) ENTITLED OTHER RATE ADJUSTMENTS OF THE EXCLUSIVE FRANCHISE AGREEMENT FOR SOLID WASTE COLLECTION AND AUTHORIZING A 3.11% INCREASE IN SOLID WASTE.

MOTION TO APPROVE CARRIED 6-1, WITH COUNCIL MEMBER SMITH VOTING AGAINST.

- c. DISCUSS AND CONSIDER A VARIANCE/WAIVER FROM SECTION 3.1807(5), ARTICLE 3.1800 "SIGNS" FROM ST. ANNE'S CHURCH TO ALLOW A MESSAGE READER BOARD THAT EXCEEDS THE ALLOWABLE SQUARE FOOTAGE. THE PROPERTY IS LOCATED AT 6055 AZLE AVE., LAKE WORTH, TEXAS.**

DENIED

Building Development Director Barry Barber informed Council the applicant St. Anne's Episcopal Church is requesting a variance/waiver from Section 3.1807(5), Article 3.1800 "Signs" to allow a message reader board that exceeds the allowable square footage. The proposed electronic message board is 31.3172 square feet and per city ordinance 24 square feet is the allowable amount.

Andrew Kimbrell with MH Signs of Texas representing the applicant came forward. Mr. Kimbrell explained that the existing sign was outdated and could no longer be repaired. To replace the board the only size on hand were bigger or smaller than the allowable size and by going smaller you lose image pixels. The replacement message board is a little over the requirement. He was available to answer any questions the Council may have.

COUNCIL MEMBER FERGUSON MADE A MOTION, SECONDED BY COUNCIL MEMBER PARSLEY, TO DENY THE REQUEST FOR A VARIANCE/WAIVER FROM ST. ANNE'S CHURCH FOR A MESSAGE READER BOARD THAT EXCEEDS THE ALLOWABLE SQUARE FOOTAGE.

MOTION TO DENY CARRIED 7-0.

- d. DISCUSS AND CONSIDER A VARIANCE/WAIVER FROM SECTION 3.1807(5), ARTICLE 3.1800 "SIGNS" FROM TEXAS MOVIE BISTRO TO ALLOW A MESSAGE READER BOARD THAT EXCEEDS THE ALLOWABLE SQUARE FOOTAGE. THE PROPERTY IS LOCATED AT 3980 BOAT CLUB ROAD, LAKE WORTH, TEXAS.**

DENIED

Building Development Director Barry Barber informed Council the applicant Texas Movie Bistro is requesting a variance/waiver from Section 3.1807(5), Article 3.1800 "Signs" to allow a message reader board that exceeds the allowable square footage. The proposed electronic message board is 55.125 square feet and per city ordinance 24 square feet is the allowable amount.

COUNCIL MEMBER SMITH MADE A MOTION, SECONDED BY MAYOR PRO TEM NARMORE, TO DENY THE REQUEST FOR A VARIANCE/WAIVER FROM TEXAS MOVIE BISTRO FOR A MESSAGE READER BOARD THAT EXCEEDS THE ALLOWABLE SQUARE FOOTAGE.

MOTION TO DENY CARRIED 7-0.

11. MAYOR AND COUNCIL ITEMS.

a. UPDATE ON TARRANT COUNTY MAYOR'S COUNCIL BY MAYOR BOWEN.

Mayor Walter Bowen had nothing to report regarding the Tarrant County Mayor's Council.

12. CITY MANAGER AND STAFF REPORTS.

a. CITY MANAGER REPORT(S):

1. INTRODUCE NEW CITY SECRETARY MONICA SOLKO.

City Manager Stacey Almond introduced the new City Secretary Monica Solko.

b. ASSISTANT CITY MANAGER/DIRECTOR OF FINANCE REPORT(S):

1. REMINDER ABOUT DATE OF THE ANNUAL COMMUNITY EASTER EGG HUNT.

Assistant City Manager/Finance Director Debbie Whitley announced that the Annual Community Easter event is scheduled for Saturday, April 8, 2017 from 10:00 a.m. to noon at the Multi-Purpose Facility.

c. PUBLIC WORKS DIRECTOR REPORT(S):

1. UPDATE ON CITY PROJECTS.

Public Works Director Sean Densmore reported on the following projects:

- March 4th - City auction was held and made \$61,015.50
- March 16th and March 23rd - Advertising Concrete Rehabilitation Project with opening bid on March 31st.
- The Charbonneau Lift Station Project has begun and electrical work has started.

- County crew will move in the next two (2) weeks to start paving Lakewood, Malta and Wells Drive.
- April 29th - 7th annual Coleson's F.R.O.G 5k and 1 mile Fun Run at Lake Worth Park. To register for race visit www.ATHLETE360.COM and register under Team Lake Worth.
- March 30th - Lake Worth Park- Company Site One will be hosting a field day w/ vendors.

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:

- 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.**

There was no Executive Session.

14. RECONVENE INTO REGULAR SESSION

- a. TAKE ANY ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION ITEM(S) AS LISTED ABOVE.**

There was no Executive Session.

15. ADJOURNMENT

Mayor Walter Bowen adjourned the meeting at 7:19 p.m.

APPROVED:

Walter Bowen, Mayor

ATTEST:

Monica Solko, TRMC
City Secretary