



City of Westworth Village
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PUBLIC HEARING and REGULAR CITY COUNCIL MEETING MINUTES

JANUARY 8, 2013

PRE-COUNCIL SESSION: 6:45 PM

PUBLIC HEARING & REGULAR SESSION: 7:00 PM

**MUNICIPAL COMPLEX
COUNCIL CHAMBERS
311 BURTON HILL ROAD**

ATTENDEES:

Mayor	Tony Yeager
Mayor Pro-Tem	Kelly Jones
Council Member	Jill Patton
Council Member	Mike Coleman
City Administrator	Roger Unger
City Secretary	Carol Borges
Police Chief	Doug Reim
HC Superintendent	Sterling Naron
Code Enforcement	Ryan Studdard
City Attorney	George Staples
Robert McGee	Freese & Nichols Engineer

ABSENT:

Council Member	Nick Encke
Council Member	Steve Beckman
Fire Chief	John Rodriguez
HC Director of Golf	David Curwen

PRE-COUNCIL SESSION CALLED TO ORDER at 6:46 pm by Mayor Yeager.

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

- 6A:** CDBG 39th Year Project – City Administrator Roger Unger stated although funding is undetermined, the City needs to select a CDBG project to submit application to Tarrant County. Submitting the back yard/alleyway sewers lines as a stand-alone project (aside from streets and waterlines) is more consistent with CDBG funding. Usual funding from CDBG is in the \$100K range, regardless of the size and cost of the project submitted. Freese & Nichols Engineer Robert McGee explained the scope of the sewer project, including Tracyne to Popken and Coleman to Popken, at an estimated cost of \$290K. Roger stated these sewer lines are 40+ years old and in very bad condition. Roger recommended submitting the sewer project, as identified, as a stand-alone project for CDBG funding.
- 6B:** Street Sweeping Services – Roger Unger explained that the City's new concrete streets will be better maintained with this service. It is a budgeted line item in the Storm Sewer budget. Street sweeping is not a current TCEQ requirement; however, it is expected to be a requirement under the next storm sewer permit issue. We anticipate cities being required to take measures to keep trash out of the storm sewer system. The contracted services would be performed twice per year, in late spring and at the end of fall.

6C: Multi-Family use in Single-Family districts – Mayor Yeager stated this discussion has been ongoing for several months and has been put on the agenda per the request of Councilwoman Patton.

PRE-COUNCIL CLOSED at 6:56 pm by Mayor Yeager.

REGULAR MEETING CALLED TO ORDER at 7:01pm by Mayor Yeager.

INVOCATION offered by Ricky Patton.

PLEDGE OF ALLEGIANCE led by Mayor Yeager.

PUBLIC HEARING OPENED at 7:03 pm.

Public Hearing to receive input from citizens regarding the **CDBG 39th Year Project alternatives and funding.** [Public Hearing is required by Tarrant County Community Development. Application is due by noon on January 25th.]

Proposed projects are:

1. Coleman/E. Tracyne/Watters Place (including Coleman/W. Tracyne and E. Tracyne/Popken sewers) – OPCC = \$1,998,700
 2. Coleman/E. Tracyne/Watters Place (without Coleman/W. Tracyne and E. Tracyne/Popken sewers) – OPCC = \$1,741,100
 3. Removing Watters Place from the project will reduce the cost by approximately \$550,000
- City Administrator Roger Unger stated these capital projects were originally intended to include street reconstruction, waterlines, and sewer lines. They've since been scaled down to include sewer lines only, to submit for CDBG funding. Roger recommended a stand-alone sewer package to include Tracyne, Coleman, and Popken streets, at a cost estimate of \$290,000.
 - No comments were received from the audience.

PUBLIC HEARING CLOSED at 7:06 pm.

REGULAR MEETING continued at 7:06 pm.

1. Approval of the Agenda

MOTION to approve the Agenda: Mike Coleman. **SECOND:** Jill Patton.
Motion passed unanimously by a vote of 3 Ayes and 0 Nays.

2. Approval of the Consent Agenda:

MOTION to approve the Consent Agenda: Jill Patton. **SECOND:** by Mike Coleman.
Mayor Pro-Tem Kelly Jones stated a correction is necessary to the title of Senior Chief Don Day on the Work Session minutes from December 11th. Carol will make the correction.
Motion passed unanimously by a vote of 3 Ayes and 0 Nays.

The following consent agenda items were approved.

A. Approval of the Minutes:

- City Council Work Session – December 11, 2012 *with correction noted above
- Joint Special Council and P&Z Commission Meeting – December 11, 2012
- Regular Council Meeting – December 11, 2012

B. Approval of December's Financial Reports:

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

FUND BALANCES DECEMBER 2012	GENERAL FUND	WATER FUND	CAPITAL PROJECTS	CRIME CONTROL	DEBT SERVICE	WRA	HAWKS CREEK GOLF CLUB
Monthly Revenue	\$ 220,605	\$82,772	\$106,648	\$35,388	\$46,853	\$9,407	\$86,246
Monthly Disbursement	\$231,451	\$60,131	\$252,151	\$37,445	\$0	\$9,233	\$146,103
TexPool Balance	\$548,697	\$200,136	\$660,776	\$3,233	\$130,719	\$199,093	N/A
Cash on Hand	\$94,787	\$258,146	\$1,074	\$10,187	\$148	\$13,438	\$182,770
CDARS Investment	\$1,274,357	\$691,771	\$491,744	N/A	N/A	\$1,713,857	N/A
CDARS Interest as of 11/30/12	\$4,303	\$197	\$3,842	N/A	N/A	\$4,872	N/A

3. Staff Updates:**A. Doug Reim, Police Chief**

- **Police Dept Report:** December Calls for Service 1940, FYTD 5785; Self-Initiated 1151, FYTD 3427; November Jail 44, FYTD 133
- **Municipal Court Report:** December Citations 177, FYTD 677 compared to last fiscal to date at 487; Violations 279, FYTD 984
- **Councilwoman Patton** thanked the Chief and the entire PD for their community service with regard to the annual Santa program.

B. Ryan Studdard, Code Enforcement

- **Code Enforcement Report:** 27 warnings and 1 citation in December.
- **Inspection Report:** 42 inspections were performed in December.

C. John Rodriguez, Fire Chief

- Chief Rodriguez is out with the flu. Report included in Council packet.

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

- Director David Curwen is out with the flu. Report presented by **Sterling Naron, HCGC Superintendent**.
- December rounds 1873, 44% increase from Dec 2011; December revenue \$83,095.66, 39% increase from Dec 2011. Five (5) days closed compared to four (4) days closed Dec 2011. Seventy-one (71) preferred players. Completed new #11 tee box; completed installation of emergency irrigation tie-in to city water line; completed repair to intake pipe from irrigation lake to pump house. Green fees for month noted with attention to weekend/holiday revenue/rounds.

Roger Unger stated first quarter (1Q13) total revenue is \$107K above first quarter last fiscal year (1Q12), primarily due to excellent weather.

E. Roger Unger, City Administrator

- **Capital Projects/Infrastructure:** The inspection on Holloway revealed a few cracked panels which have been redone. We are waiting on final ADA inspection; otherwise, the project is complete. Roger expects to request a second Council meeting later in the month to review and approve bids for the W Tracyne and E/W Aton project.
- **Budget/Disbursements:** Permit revenue is 40K ahead of budget. The revenue increase corresponds to the inspection expense for the contract inspector being over budget, but we are still in the black. The contract inspector, Jerome Walton, continues to work with and train Ryan Studdard on the more involved inspections. Ryan has begun performing smaller project inspections independently.
- **Public Works Report** is included in packet.
- **Library Report** is not available as Glenda Block is still out on medical leave. We are moving forward to hire a part-time library coordinator.

F. Carol Borges, City Secretary

- **Election Day is May 11th.** Mayor, Place 1, and Place 5 are up for re-election. First day to file for Place on Ballot is January 30th.

4. Committee Updates:

A. Finance Committee—Kelly Jones, Chair – Nothing to report.

B. Fire Dept Consolidation Committee—Kelly Jones, Chair – Nothing to report.

C. Library Committee—Jill Patton, Chair – Nothing to report.

D. Ordinance Committee—Mike Coleman, Committee Member – Nothing to report.

E. Vision Committee – Steve Beckman, Chair, is out with the flu.

5. Public Information

A. Communications:

- **Tarrant Regional Water District** had been expecting to initiate Stage 1 Water Restrictions by January 21st; however, with recent rain and forecast for more rain next week, they have revised their plan to review lake levels at the end of the month.

B. Announcements: None.

C. Citizen Comments regarding Action Item 6C, Multi-Family use in Single Family districts were received, as follows:

1. **Mr Ricky Patton** is a resident of Westworth Village who has owned rental properties within the City for years. He has separate water hook-ups and trash bills for these units, therefore prompting his request to be allowed to continue. Mr Patton stated his concern over property values, tax revenue, and owners' investment income. He acknowledged the City's goal to require building permits and Certificates of Occupancy (COs) and to deny sheds, tents, or other inappropriate housing units.
2. **Mrs Cothelle Dodson** and her husband live in Ridgmar Estates in Fort Worth and have owned two duplexes within the City for years. These properties, both over 2000 square feet, are in good condition and provide retirement income. The Dodsons plan to move into one of the units themselves, sometime in the future.
3. **Mr Charles Kimbrough** lives in Haltom City and owns five (5) rental properties in the City, which were originally owned by his grandfather. The units have separate water meters and current COs. He stated his concern over property values and how changes made would affect his retirement income.
4. **Wayne Patton** lives in a rental unit in the City, which, he said, is properly maintained. If his unit is no longer allowed he would have to move, leaving him with concern over his ability to afford another place to live.
5. **Andrea Harkins** is a resident of Westworth Village. She owns a four (4) acre property with four (4) homes, three (3) of which are rentals. Although not currently being rented due to unrelated issues, they have provided her with income which allows her to remain current on the property taxes of the four acre tract.
- **City Administrator Roger Unger** clarified that the City is not looking to disrupt legitimate rental property of duplexes or homes. The intent is to clean-up the City with regard to sheds, out-buildings, garages, and otherwise substandard housing. The Council may need to take action to correct verbiage in the Zoning Ordinance with regard to duplexes in Single-Family districts.

6. Action Items:

A. City Administrator Roger Unger

Discuss and take action to **select and move forward on the CDBG 39th Year Project.**

- **MOTION** made by Mike Coleman to submit the consolidated sewer project that combines Tracyne to Popken and Coleman to Popken, for an approximate \$290,000 budget for the 39th Year CDBG Project. **SECOND** by Jill Patton. Robert McGee confirmed that the City is not committing to the project or engineering fees by taking this action. **Motion passed unanimously** by a vote of 3 Ayes and 0 Nays.

B. City Administrator Roger Unger

Discuss and take action to **authorize the Mayor to sign contract for street sweeping services.**

- **MOTION** made by Mike Coleman to authorize Mayor Yeager to sign the contract for street sweeping [with Mister Sweeper] as presented in the packet. **SECOND** by Jill Patton. **Motion passed unanimously** by a vote of 3 Ayes and 0 Nays.

C. Mayor Yeager

Discuss **enforcement of Zoning Ordinances with regard to restriction of Multi-Family use in Single Family districts.**

- Council and staff discussed the issues and comments received during Citizen Comments at length. Councilwoman Patton stated there is no question that City should take action regarding substandard housing; however, units that have been recognized rentals for years should continue to be allowed. Members agreed that duplexes or units with separate addresses, water and electric meters, etc, are not the problem.
- It is the Mayor's intent to take action with regard to ancillary buildings and converted garages without the proper utilities and COs. Mayor Yeager stated this topic has been discussed numerous times over the past several months at Council meetings [i.e. in Open Session] and during staff meetings, with minutes taken and distributed. This action should not come as a surprise. The Mayor has spoken to Police Chief Reim, Fire Chief Rodriguez, and Senior Fire Chief Day regarding safety concerns with respect to rental properties that do not pass Code. Roger Unger stated current regulations have been in place at least since 2000. This is not new; it is a continuation of Council's decision to clean up and revitalize the community.
- Mayor Yeager stated he continues to receive numerous comments from residents who are pleased with code enforcement efforts. Mayor Pro-Tem Jones stated the largest complaint he's received over the years has been about zoning abuses. The City is evolving from a small town with marginally enforced rules to a modern city that is professionally managed. This action will ultimately increase property values.
- Mayor Yeager assured the owners and residents of the duplexes that Council is not going to affect their properties and, if need be, the Zoning Ordinance would be amended.
- Councilwoman Patton stated she is not satisfied that residents' rental incomes would not be affected. She wants to continue to discuss this topic.
- **No action was taken.**

Mayor Yeager thanked the residents for their attendance and comments.

ADJOURNED at 7:59 pm by Mayor Yeager.

MINUTES APPROVED BY:



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

This, the 12th day of February, 2013.

SIGNATURE ATTESTED BY:



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

