

Tuesday, May 12, 2020

7:00 PM

Council Chambers

**ATTENDEES:**

Mayor	L. Kelly Jones
Council Member	Tiffany Aller
Council Member	Rosa Mendez
Council Member	John Davies
Council Member	Sharon Schmitz
Council Member	Christina Cowden
City Secretary	Brandy Barrett
Police Chief	Kevin Reaves
City Attorney	Ashley Dierker
Public Works Director	Joseph Alvarez
Building Official	Nader Jeri
HCGC Head Pro	Mike Krsnak

**ABSENT:**

**REGULAR SESSION:**

**CALL TO ORDER:** Due to the COVID-19 pandemic, state, county and local disaster declarations, the meeting was called at 7:02pm by Mayor Jones via a GoToMeeting teleconference. Members of the public joined electronically by dialing toll free 1-877-309-2073 using access code 397-813-437#.

**INVOCATION** was given by **Nathan Keller**.

**PLEDGE OF ALLEGIANCE** led by Mayor Jones.

**REGULAR SESSION:**

**1. MOTION to approve the Agenda.**

- **MADE BY:** Christina Cowden. **SECOND:** Tiffany Aller.
- **Motion passed** by a vote of 5 Ayes and 0 Nays.

**EXECUTIVE SESSION:**

**Mayor Jones convened in closed executive session to deliberate the following items at 7:06pm:**

- A. Consultation with Attorney pursuant to Texas Government Code Section 551.071.  
Receive legal advice related to the White Settlement 380 Agreement Lawsuit.
- B. Consultation with Attorney pursuant to Texas Government Code Section 551.074.  
Receive legal advice related to a personnel matter regarding the service of councilmember.

**Re-convene in Regular Session at 8:07pm, no action was taken in Executive Session.**

## 2. Approval of the Consent Agenda

Mayor Jones explained the purpose of the consent agenda, noting that a council member must request an item be removed from the consent agenda if it was to be discussed, otherwise, a single motion would approve all items on the consent agenda.

### A. Approval of the Minutes:

- Council Meeting – April 14, 2020

### B. Resolution 2020-06:

- This Resolution documents the required annual review and approval of the City's Investment Policy, naming the Mayor, City Administrator and City Secretary as the City's Investment Officers. No changes have been made to the existing policy.

### C. Resolution 2020-07:

- This Resolution documents the required review and approval of the City's continued participation in Tarrant County's Community Development Block Grant, Home Investment Partnership and Emergency Solutions Grant Consortium for a three-year period, beginning October 1, 2020 and ending September 30, 2023. Westworth Village does not currently qualify for these grants.

### D. Designation of Health Services Provider:

- This is an annual appointment, designating the City's Health Officer, providing new hire testing, worker's compensation treatments and other employee health related services. Texas Health Harris Methodist Hospital Occupational Health Services physicians have provided these services for the past 5 years and have offered to continue to provide them with no cost increase.

### E. Approval of the Financial Reports:

- TexPool Report
- A/P Disbursements

FUND BALANCES April 2020	GENERAL	WATER	CAPITAL PROJECTS	CRIME CONTROL	DEBT SERVICE	WRA	HCGC	STREET
Revenue	\$118,609	\$93,301	\$107,273	\$44,185	\$7,445	\$50	\$82,121	\$22,128
Disbursements	\$221,236	\$31,284	\$0.00	\$66,347	\$0.00	\$17,609	\$137,710	\$20,678
Cash on Hand	\$188,227	\$493,967	\$514,408	\$108,786	\$76,578	\$79,199	\$43,244	\$73,813
TexPool	\$650,831	\$84,634	\$24,921	\$247	\$723,624	\$134,286	NA	NA
Money Market	\$350,000	\$500,000	NA	NA	\$129,000	\$1,090,000	NA	NA

### MOTION to approve the Consent Agenda.

- **MADE BY:** Tiffany Aller. **SECOND:** Rosa Mendez.
- **Motion passed** by a vote of 5 Ayes and 0 Nays.

## 3. STAFF UPDATES: *Mayor Jones explained that department directors were on the teleconference and would be able to answer any questions the council members had regarding the reports in the council packet. He stated the each would be called upon to discuss action items on this agenda. Chief Reaves, Mr. Alvarez and Mr. Krsnak each briefly shared what has been happening in their departments.*

- There were no questions from the council.

## 4. MAYOR'S REPORT:

Mayor Jones provided a brief recap of his prior 30 days, including:

- He reported another delay in the trail construction project, TXDOT is now requiring an additional study because there may be an endangered rattlesnake in the "park" area of the project.



- He applauded the work that Mike Krsnak and his staff are doing, working within the COVID confines, with the closing, opening and adjustments.
- He recapped the report presented at the earlier Finance Committee meeting, including that initial reports from Tarrant Appraisal District are positive and sales tax projections are still pending from the comptroller's office. He hopes the sales tax number are not as bad as originally anticipated.

**5. ADVISORY BOARD AND COMMITTEE UPDATES:** *(No meetings were held in the prior 30 days; no reports were provided.)*

**6. PUBLIC INFORMATION/ANNOUNCEMENTS – Brandy Barrett, City Secretary**

**A. Announcements and Proclamations**

- Declaring the month of May 2020, as Military Appreciation Month
- Declaring May 8, 2020 as Anne Lanford Day, in recognition of her 100<sup>th</sup> birthday.
- Declaring National Police Week, May 10-16, 2020
- Declaring National Public Works Week, May 17-23, 2020
- Volunteer Committee Service applications are available online or by contacting Brandy Barrett.

**B. Meetings**

- Crime Control and Prevention District meeting, June 2<sup>nd</sup> at 5:30pm
- Ordinance Committee meeting, June 2<sup>nd</sup>, at 6:30pm
- Golf and Parks Advisory Board meeting, June 2<sup>nd</sup> at 7:00pm
- Public Safety Committee meeting, June 4<sup>th</sup> at 5:30pm
- Long Range Planning Advisory Board meeting, June 4<sup>th</sup> at 6:30pm
- Finance Committee meeting, June 9<sup>th</sup> at 6:00pm
- Regular Council meeting, June 9<sup>th</sup> at 7:00pm

**C. CITIZEN COMMENTS:** *(As permitted by the Governor's disaster declaration, citizens will only be allowed to listen to the meeting, all call-in numbers were muted and there were no verbal citizen comments during the meeting. The mayor and council value citizen opinions and encouraged comments be sent to the City Secretary prior to 3:00p.m. on the day of the meeting.) The following comments were submitted via email and read into the record by Ms. Barrett.*

- "Brian Libbey (5853 Straley Ave): Good evening. Than you council for serving. Thank you to the staff for keeping things rolling. Item C: I think we should have new homes install gutters that go directly into French drains. The pitch and volume of these roofs on the new homes causes water to rush out of the gutters at much more force and volume than a smaller lesser pitched roof. Before the new homes started this was not a discussion. My roof drainage will never flood my new neighbors yard. That's why I say new homes Items E & H: Several months back, we had been told several times at council and committee meetings that our city is financially sound. Because of this, I was pretty disappointed to hear that Melanie was let go. My understanding is that it was done because of the slowdown in revenue and a mistake made by Sterling. If the city finances are low enough to force someone into retirement, why is there talk about spending money on speed limits and city parks? Not suggesting they should not get done, just not now. I think we should be responsible with our revenue and spend it wisely on what must be done now. The other things should wait until the revenue is back to normal and hire a city administrator. We have other major projects ahead. Drainage by the school. Sewer monitors. Water runoff from Westworth Park and Magnolia West. The longer we put that off the more it will cost. A new administrator may have valuable insight for these issues. Item F: I don't think a one thousand square foot home that has half its lot is soil and absorbs water should pay the same fees as four



thousand square foot home or a business that is a half an acre of cement. The west end of Westworth used to be a forest. Now it's saplings and cement. They should pay a larger portion."

- "Margaret Worthington (5700 Tracyne Dr.): Regarding action item H Seems to me this is the kind of spending that should wait for consideration until after city revenues recover (we hope)."
- No other citizen comments were submitted.

## 7. ACTION ITEMS:

### A. Mayor Jones

Discuss and take action on Ordinance 461-A to extend the Declaration of Local Disaster and Public Health Emergency originally issued by Mayor Jones on March 7<sup>th</sup> and extended by the council on April 14<sup>th</sup>. *(The City participates in the Tarrant County Hazard Mitigation Action and Emergency Management Plans and must also comply with the State and County orders during a disaster. The mayor/council can also declare a city disaster, which requires council. The current city disaster declaration will expire at midnight on May 13<sup>th</sup>.)*

**MOTION to approve Ordinance 461-A extending the Declaration of Local Disaster and Public Health Emergency to 11:59pm on June 10, 2020.**

- **MADE BY:** Sharon Schmitz. **SECOND:** Christina Cowden.

#### **DISCUSSION:**

- Ms. Barrett explained the action was needed to bolster the cities application for reimbursement funding. There was a brief discussion on the expiration date and a consensus on the proposed date and time.

**Motion passed** by a vote of 5 Ayes and 0 Nays.

### B. Mayor Jones

Discuss and take action on May utility billing services. *(Council took action in April to waive fees and terminations on utility invoices due in April. Approximately 40 accounts were not paid by the due date and 27 accounts remained outstanding totaling \$2,100 as of May 1<sup>st</sup>. Per section 13.02.034 of the City's Code of Ordinances, "Utility bills not paid in full by the sixth calendar day following the due date will be considered delinquent and utilities services will be subject to termination." Utility bills are mailed/emailed by the last day of each month and are due by the 15<sup>th</sup> of each month. Accounts not paid in full by the due date are deemed delinquent and assessed a late payment fee of a minimum of \$7.50 or 10% of the outstanding balance. If the account is not paid in full by the 21<sup>st</sup> of each month a service termination fee of \$25.00 is assessed and utility services are shut off. No fees are assessed for the restoration of a shut off account.)*

**MOTION to reinstate the assessment of delinquent utility account fees and resume utility shut offs any account that is more than one month in arrears.**

- **MADE BY:** John Davies. **SECOND:** Christina Cowden.

**Motion passed** by a vote of 5 Ayes and 0 Nays.

### C. Mayor Jones

Discuss and take action on Ordinance 463 amending Chapter 3, section 3.02.081 of Code of Ordinances, modifying the 2018 Edition of the International Residential Code previously adopted to provide regulations governing roof drainage. *(If approved as presented, the recommended changes will require a controlled method of water disposal from roofs such as a rain gutter system on all new residential dwellings, additions to existing residential dwellings, and any roof structure modifications/alterations that require a building permit. Water from those systems cannot flow toward buildings or onto adjacent private property.)*

**MOTION to approve on Ordinance 463 amending Chapter 3, section 3.02.081 of Code of Ordinances, modifying the 2018 Edition of the International Residential Code previously adopted to provide regulations governing roof drainage.**



- **MADE BY:** Tiffany Aller. **SECOND:** Sharon Schmitz.

**DISCUSSION:**

- Following a discussion Councilwomen Cowden, Schmitz and Mendez verbalized a preference for the requirement to be effective only on new construction.

**MOTION TO AMEND the original motion to limit applicability to new construction only.**

- **MADE BY:** Sharon Schmitz. **SECOND:** Rosa Mendez.

**DISCUSSION:**

- Councilman Davies requested further clarification on how this would assist homeowners with existing drainage problems.
  - **Motion to amend passed** by a vote of 4 Ayes and 1 Nays. (Tiffany Aller)
- Mayor Jones called for a vote on the original motion as amended.
- **Motion as amended passed** by a vote of 5 Ayes and 0 Nays.

**D. Mayor Jones**

Discuss and take action on Ordinance 464 amending the Code of Ordinances, Article 6.04, Food Sanitation, to update references to applicable provisions of state law governing food establishments located in the city. *(The state's referenced provisions were amended and moved to a different chapter of the Administrative Code, by the Health and Human Services Commission.)*

**MOTION to approve Ordinance 464 amending the Code of Ordinances, Article 6.04, Food Sanitation, to update references to applicable provisions of state law governing food establishments located in the city.**

- **MADE BY:** Christina Cowden. **SECOND:** Rosa Mendez
- **Motion passed** by a vote of 5 Ayes and 0 Nays

**E. Mayor Jones**

Discuss and take action on Ordinance 465 to reduce the speed limit on all residential streets to 25 mile per hour, excluding alleyways, school zone on Burton Hill Road, Burton Hill Road, White Settlement Road East of Roaring Springs Road to the city limit, Roaring Springs Road, Pumphrey, and Highway 183/Westworth Blvd city limit to city limit. *(This will cost approximately \$18,000 to purchase and install the required traffic signs and educational materials to inform the public.)*

**MOTION to approve Ordinance 465 to reduce the speed limit on all residential streets to 25 mile per hour, excluding alleyways, school zone on Burton Hill Road, Burton Hill Road, White Settlement Road East of Roaring Springs Road to the city limit, Roaring Springs Road, Pumphrey, and Highway 183/Westworth Blvd city limit to city limit.**

- **MADE BY:** Tiffany Aller.
- **Motion died due to lack of a second.**
- Chief Reaves recapped the traffic studies and his recommendation to approve this action for the safety of the citizens, at the request of Mayor Jones.

**MOTION to approve Ordinance 465 to reduce the speed limit on all residential streets to 25 mile per hour, excluding alleyways, school zone on Burton Hill Road, Burton Hill Road, White Settlement Road East of Roaring Springs Road to the city limit, Roaring Springs Road, Pumphrey, and Highway 183/Westworth Blvd city limit to city limit.**

- **MADE BY:** Tiffany Aller. **SECOND:** Sharon Schmitz
- **Motion failed** by a vote of 0 Ayes and 5 Nays

Councilwoman Aller requested the Public Safety Committee review the studies further and make a recommendation.

**F. Mayor Jones**

Discuss and take action **amending the Code of Ordinances, Article 13.04, amending the storm drainage rate calculation for both commercial and residential properties, and consider adding the fees to the Fee Schedule as A06.009.** *(The current fees were implemented in 2011, residential is*



*billed a flat rate of \$4.00 per month and commercial properties are billed \$4.00 per every 4100 square feet of impervious surface. This fee is collected to raise funds to maintain and improve the storm drainage system throughout the city. An ordinance will be drafted based on council's direction and a public hearing will be scheduled, as required prior to its approval, at the June council meeting.)*

- **Mayor Jones announced that the staff were still investigation this issue and this would be presented at a later date.**

#### **G. Mayor Jones**

Discuss and take action on the restated and amended Interlocal Cooperative Agreement with other stakeholders in the Metropolitan Area EMS Authority (MAEMSA). *(Approval is necessary as this program provides the required medical oversight in the Police Departments Emergency Care Attendant ECA program. Approval authorizes the mayor to sign the agreement, which continues our relationship with MAEMSA. This agreement was last approved in 2018. Changes include the defining and expanding the Board of Directors, updating voting rights, increasing stipulations for the Emergency Physicians Advisory Board (EPAB), adopting a Director conflict of interest policy, and clarifying the ability for member jurisdictions to govern EMS standby care at special events in their own jurisdictions. Approval of this agreement is recommended by the Fort Worth Fire Chief and MedStar Directors.)*

**MOTION to authorize the Mayor to execute the restated and amended Interlocal Cooperative Agreement with other stakeholders in the Metropolitan Area EMS Authority (MAEMSA).**

- **MADE BY:** Christina Cowden. **SECOND:** Tiffany Aller
- **Motion passed** by a vote of 5 Ayes and 0 Nays

#### **H. Mayor Jones**

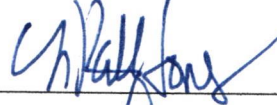
Discuss and take action on the selection of a planning/design consultant to design parks/recreational areas and produce an implementation plan, for the green space behind city hall, Kaster Korner and Airfield Falls. *(The Request for Proposal was released on March 13, 2020 and due on May 1, 2020, two firms submitted responses. The Golf and Parks Advisory Board will work with the selected firm, utilizing the results from the city-wide survey, town hall meeting and future public hearings.)*

**MOTION to select Kimley Horn as the planning/design consultant to design parks/recreational areas and produce an implementation plan, for the green space behind city hall, Kaster Korner and Airfield Falls and authorize the Mayor to execute an agreement.**

- **MADE BY:** Christina Cowden. **SECOND:** Tiffany Aller
- **Motion passed** by a vote of 5 Ayes and 0 Nays

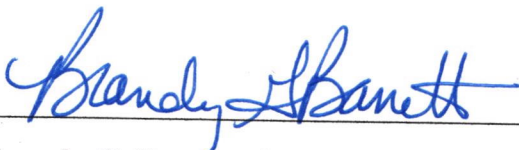
**The meeting was adjourned at 9:43pm by Mayor Jones.**

**MINUTES APPROVED BY:**



**L. Kelly Jones, Mayor**

**SIGNATURE ATTESTED BY:**



**Brandy G. Barrett, City Secretary**

