

**MINUTES of a MEETING
of the
DALWORTHINGTON GARDENS
CITY COUNCIL**

Regular Session: Thursday, February 15, 2007 7:00 P.M.

EXECUTIVE SESSION

An executive session of the City Council was held at **6:30 o'clock p.m.** on **Thursday, February 15, 2007, in the Council Chambers of the Dalworthington Gardens City Hall, 2600 Roosevelt Drive, Dalworthington Gardens, Texas.** The City Council will meet in closed, executive session pursuant to the provision of the Open Meetings Law, Chapter 551 of the Government Code, in accordance with the authority contained in Section 551.071. The following items of business were considered, discussed and acted upon, as deemed appropriate by the Council:

1. Potential Litigation

REGULAR SESSION

A regular meeting was held at **7:00 o'clock p.m.** on **Thursday, February 15, 2007 in the Council Chambers of the Dalworthington Gardens City Hall, 2600 Roosevelt Drive, Dalworthington Gardens, Texas.** The following items of business were considered, discussed and acted upon, as deemed appropriate by the Council:

MEMBERS PRESENT:

Michael Tedder, Mayor
Guy Snodgrass, Mayor Pro tem
Mike Pettke, Councilman
Jim Piland, Councilman
Ken Wallace, Councilman
Steve Loe, Councilman

STAFF PRESENT:

Melinda Brittain, City Secretary
Bill Waybourn, Chief of Public Safety
Stan Wilkes, City Attorney

CALL TO ORDER- Mayor Tedder called the meeting to order at 7:00 p.m.

1. Citizen comments
Kathy Price, 2620 Whisperwood Trail, gave Park Board status report
2. Mayor and Council comments
None
3. Proclamation declaring Severe Weather Awareness Week
Melinda Brittain read the proclamation proclaiming March 4-10, 2007 Severe Weather Awareness Week.

4. Resolution 07-11, Departmental Reports and January Financial Report
On motion by Councilman Pettke, seconded by Councilman Wallace by a vote of 5 ayes and no nays, the following resolution was adopted:

RESOLVED, that the Departmental Reports and Financial Report for January, 2007, be approved and placed in the records of the city

5. Resolution 07-12, Minutes of January 18, 2007 Meeting
On motion by Councilman Pettke, seconded by Councilman Piland, by a vote of 5 ayes and no nays, the following resolution was adopted:

RESOLVED, that the Minutes of the January 18, 2007 City Council Meeting be approved and placed in the records of the city.

6. Resolution 07-13, Executive session action:

On motion by Councilman Wallace, seconded by Mayor Pro tem Snodgrass, by a vote of 5 ayes and no nays, the following resolution was adopted:

RESOLVED, that the City Attorney pursue the course of action discussed in executive session with the objective of avoiding litigation over city issues.

7. **Public Hearing on an application by Taurus Bowen Center Limited Partnership to amend the Concept Plan for the development of the Garden Town Center located on the northwest corner of the intersection of Bowen Road and Pleasant Ridge Road.**

Mayor Tedder opened the public hearing at 7:20 p.m. and asked for public comments.

Doug Gilliland, 1805 Buckingham Court, Keller, TX., the managing partner of Taurus, owner of property, spoke in favor of the request.

There being no other persons to speak the Mayor closed the public hearing at 7:27 p.m. and asked for Council comments. After discussion by the Council, on motion by Councilman Pettke, seconded by Councilman Wallace, by a vote of 5 ayes and no nays, this item was tabled.

Tabled Items from January 18, 2007 Meeting

8. Resolution 07-14, Global Software Support Agreement Renewal.
On motion by Councilman Wallace, seconded by Councilman Pettke, by a vote of 5 ayes and no nays, the item was removed from the table.

On motion by Mayor Pro tem Snodgrass, seconded by Councilman Pettke, by a vote of 5 ayes and no nays, the following resolution was adopted:

RESOLVED, that the Mayor of the City is hereby authorized to execute on behalf of the City an agreement between the City and Global Software Corporation for computer software services, a copy of the agreement being appended to this resolution.

RESOLVED FURTHER, that the City Secretary is hereby authorized to attest the execution of the agreement and to affix the seal of the City thereto.

9. Resolution: Interlocal agreement with City of Arlington for automated signal enforcement.
No action was taken.

10. Resolution 07-15: Interlocal agreement with City of Pantego for automated signal enforcement.
On motion by Mayor Pro tem Snodgrass, seconded by Councilman Pettke, by a vote of 5 ayes and no nays, the item was removed from the table.

On motion by Mayor Pro tem Snodgrass, seconded by Councilman Wallace, by a vote of 5 ayes and no nays, the following resolution was adopted:

RESOLVED, that the Mayor of the City is hereby authorized to execute on behalf of the City an agreement between the City and the Town of Pantego concerning the location of automated signal enforcement equipment, a copy of the agreement being appended to this resolution.

RESOLVED FURTHER, that the City Secretary is hereby authorized to attest the execution of the agreement and to affix the seal of the City thereto.

11. Resolution: Purchase of School Zone Flasher Equipment.
No action was taken.

Action Items:

12. Resolution 07-16, Schedule Mid-Year Budget Workshop.

On motion by Mayor Pro tem Snodgrass, seconded by Councilman Loe, by a vote of 5 ayes and no nays, the following resolution was adopted:

RESOLVED, that the mid-year budget workshop be scheduled for March 22, 2007 from 6:00 p.m. to 8:00 p.m.

13. Resolution 07-17, Consulting Engineering Services.
On motion by Councilman Pettke, seconded by Councilman Loe, by a vote of 5 ayes and no nays, the following resolution was adopted:

RESOLVED, that the Mayor of the City is hereby authorized to execute on behalf of the City an agreement between the City and J. Richard Perkins for professional services as the city engineer, a copy of the agreement being appended to this resolution.

RESOLVED FURTHER, that the City Secretary is hereby authorized to attest the execution of the agreement and to affix the seal of the City thereto.

14. Resolution 07-18, Supplemental Sewage Backup Coverage.
On motion by Councilman Wallace, seconded by Councilman Piland, by a vote of 5 ayes and no nays, the following resolution was adopted:

RESOLVED, that the City subscribe to the supplemental sewage backup insurance coverage offered by the TML Intergovernmental Risk Pool. The motion passed by a vote of 5 ayes and no nays.

15. Joint Election Agreement & Contract for Election Services with Tarrant County.
On motion by Councilman Pettke, seconded by Councilman Loe, this item was tabled.

The motion passed by a vote of 5 ayes and no nays.

16. Resolution 07-19, Consulting Agreement for Utility Rate Study.
On motion by Councilman Pettke, seconded by Councilman Wallace, by a vote of 5 ayes and no nays, the following resolution was adopted:

RESOLVED, that the Mayor of the City is hereby authorized to execute on behalf of the City an agreement between the City and Carolyn Marshall for a utility rate study, a copy of the agreement being appended to this resolution.

RESOLVED FURTHER, that the City Secretary is hereby authorized to attest the execution of the agreement and to affix the seal of the City thereto.

17. **ORDINANCE 07 – 03**, Minimum Property Standards.
On motion by Councilman Wallace, seconded by Councilman Loe, the following ordinance was adopted by a vote of 5 ayes and no nays:

BE IT ORDAINED:

1.

That Chapter 15.1, BUILDING CODE, of Title 15, BUILDINGS AND CONSTRUCTION, of the Code of the City of Dalworthington Gardens be amended by the addition thereto of a new section, designated Section 15.1.03, which shall be and read as follows:

15.2.03 Minimum property standards An owner and/or occupant commits an offense under this chapter if he/she fails to:

A. Repair and protect the exterior surfaces of a structure that show signs of deterioration by an application of paint or other protective coat including but not limited to the use of siding; or

B. Maintain all carports, awnings, patio covers, garages and garage doors, sheds, s storage buildings, out buildings, and other accessory buildings or structures in a structurally sound condition and free of deterioration; or

C. Replace all broken glass on the exterior of homes and accessory structures.

2.

That this ordinance shall be cumulative of other ordinances of the City regulating buildings and construction.

3.

That if any section, subsection, sentence, clause or phrase of the portion of the code hereby adopted is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the code. The City Council hereby declares that it would have passed this portion of the code, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases had been declared invalid or unconstitutional, and if for any reason the code or any portion thereof hereby adopted should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

4.

That any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding \$2,000.00 and for each day that such violation shall continue, there shall be deemed a separate offense.

5.

That the caption and penalty clause of this ordinance shall be published in the Commercial Recorder, a newspaper of general circulation within the City.

6.

That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and publication.

18. Resolution 07-20, Plans & Specifications for Park Improvements.
On motion by Councilman Wallace, seconded by Councilman Pettke, by a vote of 5 ayes and no nays, the following resolution was adopted:

RESOLVED, that the Mayor is hereby authorized to engage a civil engineer for the purpose of preparing plans and specifications for park improvements at such time as he may deem it appropriate.

Discussion Only

19. Future agenda items
RFP for Oil and Gas lease
March meeting to be rescheduled for March 8, 2007
Plan Development meeting to be scheduled for February 22, 2007 at 7:00p.m., with the applicant of the Garden Town Center to discuss the amended plan development.

ADJOURN

On motion by Councilman Pettke, seconded by Councilman Piland, the meeting was adjourned by unanimous vote at 8:45 p.m.