

MINUTES
OF A REGULAR MEETING
And
EXECUTIVE SESSION
of the
DALWORTHINGTON GARDENS
CITY COUNCIL

Regular Session: Thursday, March 18, 2010 7:00 P.M.

EXECUTIVE SESSION

An executive session of the City Council was held at **6:30 o'clock p.m.** on **Thursday, March 18, 2010, 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. Legal Consultation – Package Sales

REGULAR SESSION

A regular meeting was held at **7:00 o'clock p.m.** on **Thursday, March 18, 2010 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:

CALL TO ORDER – Mayor Tedder called the meeting to order at 7:15 p.m.

- Invocation by the Mayor**
- Pledge of Allegiance to the United States of America Flag**
- Pledge of Allegiance to the State of Texas Flag**
- Proclamation – March for Meals Awareness Month in Tarrant County**

1. **Citizen Comments**
Pepper Hitchcock, 3121 Sunset Oaks- upset with tree trimming required by Oncor
2. **Mayor and Council comments.**
3. **Departmental Reports and January Financial Report.**
 - DPS Report
 - Yearly Budget Summary
 - Trial Balance
 - TexSTAR Reports
 - Sales Tax History
 - Ad Valorem Report
 - General, Water & Public Works Report

Court Activity Report

On motion by Councilman Pettke, seconded by Councilman Loe, by a vote of 5 ayes and 0 nays, it was:

RESOLVED, that the departmental reports and financial reports for February, 2010 be approved and placed in the records of the city.

4. Minutes of February 18, 2010 Meeting.

On motion by Councilman Pettke, seconded by Councilman Ellis, by a vote of 5 ayes and 0 nays, it was:

RESOLVED, that the minutes of the February 18, 2010 Council meeting be approved and placed in the records of the city.

Tabled Items from Previous Meetings:

5. ZBA Board Vacancy

No action was taken.

6. Citizen request for reimbursement

No action was taken

Public Hearing and Action:

7. Proposed Zoning Change

Applicant: T.P.S. Family L.P., Steve Turnbow

Location: Vacant Lot beginning on the south east corner of California Lane, Bowen Road intersection, extending south along Bowen Road.

Property Description: A 4.178 Acre Tract, Lot 4-A, Block 4, Dalworthington Gardens Addition, Vol. 388-71, Pg. 301, P.R.T.C.T. City of Dalworthington Gardens, Tarrant County, Texas.

Current Zoning: SF-1

Proposed Zoning: B3 - Commercial

Mayor Tedder opened the public hearing at 7:48 p.m. and asked for public comments. There being no public comments, the Mayor closed the public hearing at 7:49 p.m.

On motion by Councilman Pettke, seconded by Councilman Loe, by a vote of 5 ayes and 0 nays, the application for the proposed zoning change was denied.

Action Items:

8. Schedule 2005 Comprehensive Plan Worksession

No action was taken

9. Fire Department Annual Inspection Fees

Not action was taken.

10. Order calling for cancellation of May 8, 2010 election

On motion by Councilman Loe, seconded by Councilman Ellis, by a vote of 5 ayes and 0 nays, the following ordinance was adopted:

AN ORDINANCE DECLARING UNOPPOSED CANDIDATES IN THE MAY 8, 2010 GENERAL CITY ELECTION, ELECTED TO OFFICE; CANCELING THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the general city election was called for May 8, 2010, for the purpose of electing members to the city council; and

WHEREAS, the city secretary has certified in writing that there is no proposition on the ballot, that no person has made a declaration of write-in candidacy, and that each candidate on the ballot is unopposed for election to office; and

WHEREAS, under these circumstances, Subchapter C, Chapter 2, Election Code, authorizes the city council to declare the candidates elected to office and cancel the election;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALWORTHINGTON GARDENS:

Section 1. The following candidates, who are unopposed in the May 8, 2010 general city election, are declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed:

Mayor: Michael Tedder

Alderman Place 1: Mike Pettke

Alderman Place 2: Guy Snodgrass

Section 2. The May 8, 2010 general city election is cancelled, and the city secretary is directed to cause a copy of this ordinance to be posted on Election Day at each polling place that would have been used in the election.

Section 3. It is declared to be the intent of the city council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the city council would have enacted them without the invalid portion.

Section 4. This ordinance shall take effect upon its final passage, and it is so ordained.

11. Endorsement of certain Legislative changes relating to the Sunset Review of the Texas Public Utility Commission and the special purpose review of the Electric Reliability Council of Texas.

On motion by Councilman Pettke, seconded by Mayor Pro tem Snodgrass, by a vote of 5 ayes and 0 nays, it was:

RESOLVED, that the city endorse certain Legislative changes relating to the Sunset Review of the Texas Public Utility Commission and the special purpose review of the Electric Reliability Council of Texas.

12. Action pertaining to Executive Session

Legal Consultation – Package Sales

On motion by Councilman Pettke, seconded by Councilman Piland, by a vote of 5 ayes and 0 nays, it was:

RESOLVED, that a committee consisting of the Mayor, City Administrator, two Councilmen with the City Engineer and City Attorney included when needed be hereby appointed to review applications pertaining to package sales.

13. Appoint review committee for city permits.

On motion by Councilman Pettke, seconded by Councilman Loe, by a vote of 5 ayes and 0 nays, it was:

RESOLVED, that a committee consisting of the Mayor, City Administrator, two Councilmen with the City Engineer and City Attorney be included when needed be hereby appointed to review city permits

FUTURE AGENDA ITEMS

ADJOURN

On motion by Councilman Loe, seconded by Councilman Piland, by a vote of 5 ayes and 0 nays, the meeting was adjourned at 8:39 p.m.