

Minutes
Of
REGULAR MEETING
of the
DALWORTHINGTON GARDENS
CITY COUNCIL &

Regular Session: Thursday, October 20, 2011, 7:00 P.M.

REGULAR SESSION

A regular meeting was held at 7:00 P.M. on Thursday, October 20, 2011 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
Mike Pettke, Councilman
Steve Loe, Councilman
Ed Motley, Councilman
Jim Piland, Councilman

MEMBERS ABSENT:

Guy Snodgrass, Mayor Pro tem

STAFF PRESENT:

Melinda Brittain, City Administrator
Bill Waybourn, Chief of Public Safety
Jerry Vennum, Deputy Chief

CALL TO ORDER

Invocation by the Mayor

Pledge of Allegiance to the United States of America Flag

Pledge of Allegiance to the State of Texas Flag

- 1. Citizen Comments**
- 2. Mayor and Council comments.**
- 3. Resolution 11-69, Departmental Reports**
 - DPS Report
 - Yearly Budget Summary
 - Trial Balance
 - Sales Tax History
 - Ad Valorem Report
 - General, Water & Public Works Report
 - Court Activity Report

On motion by Councilman Pettke, seconded by Councilman Motley, by a vote of 4 ayes and 0 nays, it was:

RESOLVED, that the departmental reports for September, 2011, be approved and placed in the records of the city.

4. Resolution 11-70, Minutes of Sept. 15 and Sept. 29, 2011 Meetings.

On motion by Councilman Motley, seconded by Councilman Piland, by a vote of 4 ayes and 0 nays, it was:

RESOLVED, that the minutes of the September 15 & 29, 2011 Council meetings be approved and placed in the records of the city.

No Tabled Items from Previous Meetings

Discussion and Action Items:

5. Resolution 11-71, Inter-local Agreement for Rabies Control Services for FY 2011.

On motion by Councilman Pettke, seconded by Councilman Motley, by a vote of 4 ayes and 0 nays, it was:

RESOLVED, that the Inter-local Agreement with the City of Fort Worth for Rabies Control Services be approved and placed in the records of the city.

6. Public Hearing: Taxation of Goods-in-Transit

Mayor Tedder opened the public hearing at 7:20 pm and asked for public comments. There being no public comments, Mayor Tedder closed the public hearing at 7:30. No action was taken

7. Chesapeake Division Order

On motion by Councilman Piland, seconded by Councilman Pettke, by a vote of 4 ayes and 0 nays, this item was tabled.

8. Resolution 11-72, CRIMES Law Enforcement Software License and Maintenance Agreement

On motion by Councilman Pettke, seconded by Councilman Loe, by a vote of 4 ayes and 0 nays, it was:

RESOLVED, that the CRIMES Law Enforcement Software License and Maintenance Agreement be approved and placed in the records of the city.

9. City Engineer report and possible action regarding Street Improvements

No action was taken.

**10. City of Fort Worth Wholesale Water Cost of Service Study
FY 2012**

No action was taken.

11. Ordinance 11-10, Residential and Commercial Water rates & Residential and Commercial Refuse and Disposal rates

On motion by Councilman Pettke, seconded by Councilman Motley, by a vote of 4 ayes and 0 nays, the following ordinance was adopted:

An Ordinance of the City of Dalworthington Gardens, Texas to adopt revisions to the Code of Ordinances, City of Dalworthington Gardens, Texas, Appendix A – Fee Schedule, Article A4.000 Water and Sewer Service and Article A7.000 Solid Waste Collection, making this ordinance cumulative, containing a savings clause, and stating an effective date.

WHEREAS, increased operating costs and expenses, including the increased costs charged to the City by its water and wastewater treatment provider (the City of Fort Worth) and increased charges from its solid waste collection service have caused increased strain on the budget demands of the City, such that the increased expenses must be offset by passing these charges and expenses through to the City’s customers.

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

Section 1. The Code of Ordinances, City of Dalworthington Gardens, Texas, Appendix A – Fee Schedule, Article A4.000(d)(1)(A)(ii) and (B)(ii) Water Service Rates are hereby amended to increase the rates for usage over 2000 gallons from \$2.50 to \$2.75 as follows:

(A) Residential Rates

(ii) Over 2000 gallons (per 1000 gallons): \$2.75.

(B) Commercial rates:

(ii) Over 2000 gallons (per 1000 gallons): \$2.75.

Section 2. The Code of Ordinances, City of Dalworthington Gardens, Texas, Appendix A – Fee Schedule, Article A4.000(e)(1) is hereby amended to increase the rates for usage over 2000 gallons from \$2.50 to \$2.75 as follows:

(1) The following rates per month, based upon water consumption, shall be the rates charged for sewer service furnished to the customers within the corporate limits of the city:

Gallons of Water	Residential Rate	Commercial Rate
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First 2000 gallons (minimum)	\$17.50	\$39.00
Over 2000 gallons (per 1000 gallons)	\$2.75	\$2.75

Section 3. The Code of Ordinances, City of Dalworthington Gardens, Texas, Appendix A – Fee Schedule, Article A7.000 is hereby amended in its entirety to change rates or fees as follows:

ARTICLE A7.000 SOLID WASTE COLLECTION

- (a) Residential pickup, per month, per dwelling unit with recycling (without curbside grass collection): \$11.82*.
- (b) Residential pickup, per month, per dwelling unit (without curbside grass collection) without recycling \$8.86*.
- (c) Bin deposit: 5.00*.
- (d) Commercial curb pickup, per month, per occupancy: \$14.50*.

*Does not include sales tax.

Section 4. All provisions of the Dalworthington Gardens City Code, codified or uncoded, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Dalworthington Gardens City Code, codified or uncoded, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 5. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

Section 6. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions at the time of passage of this ordinance.

Section 7. This Ordinance shall become effective immediately upon its passage and publication as required by law.

13. FUTURE AGENDA ITEMS

ADJOURN

On motion by Councilman Pettke, seconded by Councilman Loe, by a vote of 4 ayes and 0 nays, the meeting was adjourned at 8:15 pm