

**MINUTES
AZLE CITY COUNCIL MEETING
AUGUST 6, 2013**

STATE OF TEXAS §
COUNTIES OF §
PARKER AND TARRANT §
CITY OF AZLE §

The City Council of the City of Azle, Texas met in Pre-Council Work Session at 6:30 p.m. and convened in Regular Session at 7:00 p.m. in the Council Chambers of City Hall, 613 Southeast Parkway, Azle, Texas, on the 6th day of August 2013 with the following members present:

Alan Brundrett	Mayor
Bill Jones	Mayor Pro Tem
David McClure	Council Members
Rouel Rothenberger	
Lee Barrett	

Constituting a quorum. Councilmen William Chambers and Paul Crabtree were excused from tonight's meeting. Staff present was:

Craig Lemin	City Manager
Lawrence Bryant	Assistant City Manager
Susie Hiles	Assistant to City Manager
Norma Zenk	City Secretary
Cara White	City Attorney
Randy Reed	Chief of Police
Renita Bishop	Finance Director
Rick White	Director of Public Services
Greg Mitchell	Development Services Manager

The following items were considered in accordance with the official agenda posted on the 2nd day of August 2013.

PRE-COUNCIL WORK SESSION:

6:30 p.m.

Mayor Brundrett opened the work session at 6:34 p.m. Council and Staff reviewed the items on consent and regular agendas and considered placing Agenda Items 3, 7, and 8 on consent.

Agenda Item 7: Mr. White stated Voice Stream Wireless currently has an antenna lease and equipment on site and the fiber optics would allow them to service and upgrade their clients, and noted staff and the city attorney had no objections in allowing Voice Stream Wireless a utility easement at 729 Boyd Road.

Agenda Item 8: Mr. White stated his change order included wiring, programming and installation of one additional automatic valve to control the air in the sludge holding tank; and included labor cost for the additional work. He stated this was needed to facilitate the operation of the blower and air system and reduce electrical use over the life of the systems. Mr. White noted this would be funded from the contingency fund which is there to cover such issues as they arise in large capital improvement projects.

Mayor Brundrett adjourned the work session at 6:45 p.m.

REGULAR SESSION:
CALL TO ORDER

7:00 p.m.

Mayor Brundrett called the regular session to order at 7:06 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Brundrett.

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PRESENTATIONS

1. Presentation of the Keep Texas Beautiful Award by Community Waste Disposal.

Mayor Brundrett recognized Robert Medigovich, CWD Municipal Coordinator who stated the city had been nominated for the Keep Texas Beautiful Award by Community Waste Disposal for the city's efforts in their environmental programs and noted the city had received formal recognition from the Keep Texas Beautiful at the Annual Conference held in San Antonio in June.

Mayor Brundrett gave kudos to Jimmy Duvall, Storm Water Manager, for his successful Clean Up Azle events he coordinates on a bi-annual basis, and his continued efforts at educating the public about recycling and keeping rubbish and debris from our waterways and landfills.

2. Presentation of the Quarterly Investment Report for month ended June 30, 2013.

Mayor Brundrett recognized Renita Bishop, Finance Director, who have a brief overview of the city's investments noting the average quarterly yield was at 40% and the quarterly interest earnings were \$15,762.

CITIZEN PARTICIPATION

No one spoke.

CONSENT AGENDA

- 3. Consider approving the Minutes of the July 16, 2013 and July 30, 2013 regular and special City Council meetings, respectively.**
- 7. Consider any action on approving a four foot wide utility easement at the 729 Boyd Road Water Tower to allow Voice Stream Wireless to install fiber optic cable.**
- 8. Consider any action on Change Order No. 8 for the Ash Creek WWTP expansion project to BRB Contractors, Inc. in the amount of \$18,060.28.**

Councilman McClure moved to approve the Consent Agenda as presented and discussed during the pre-council work session. Councilman Rothenberger seconded the motion.

The vote is as follows:

Ayes: Brundrett, Jones, McClure, Rothenberger, and Barrett

Nays:

Abstentions:

Mayor Brundrett declared the motion passed unanimously.

PUBLIC HEARING

- 5. Conduct a Public Hearing and consider any action on a Council Variance from the City's Code of Ordinance, Chapter 12, Article 12-400 Parking as requested by Gerald Trunk, 356 Thomas Road, to allow vehicle access via the grass pathway to the rear acres, and for vehicle to operate and park in the grass pasture.**

Mayor Brundrett stated as a courtesy to resident Gerald Trunk, the public hearing would be moved up to hear his request for a council variance and recognized City Manager Lemin who stated Mr. Trunk had approached staff regarding a permit for a multipurpose open walled metal type barn/storage building on unpaved surface for his daughter's RV. He noted Staff had informed him that the current parking ordinance required him to have a paved driveway to the building as well as concrete pad for the RV to rest on.

Mayor Brundrett opened the public hearing at 7:11 p.m. and recognized the following:

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Gerald Trunk, 356 Thomas Road, Azle, Texas who stated he was requesting this Council Variance because his property was not like a standard city lot because his back yard was a 1.7 acre pasture and had always kept property in pristine condition. He requested the Council review the Parking Ordinance and revise it to apply to various size lots or grant him this variance noting he has to access the rear of his pasture for the horse trailers and a paved driveway to the RV building might cause injury to his horses.

Lisa Trunk, 356 Thomas Road, Azle, Texas stated she was the daughter of Mr. Trunk who had purchased the house next door to him for her to live in since her husband was deployed to Afghanistan. She stated the RV was also hers and did not want it parked in the front yard or side of the house because it would not be esthetically pleasing and was requesting the variance from the parking ordinance to allow them to build the storage building for the RV without a paved driveway or concrete pad. Ms. Trunk stated a driveway would endanger her horses by slipping on the concrete and breaking a leg, and couldn't understand why they were not allowed to drive their vehicles to the back pasture since it truly wasn't a back yard but a pasture.

There being no one else to speak, Mayor Brundrett closed the public hearing at 8:08 p.m.

Council and staff discussed the Parking Ordinance noting this was put in place to keep residents from parking their vehicles in the front yard. Council directed staff to review the current parking ordinance and draft a feasible amendment to consider acreage for a variance and present to Council for consideration at a future council meeting.

No action was taken.

4. Conduct a Public Hearing for the Crime Control and Prevention District Annual Budget FY 2013/2014.

Mayor Brundrett introduced the Agenda Item and recognized City Manager Lemin who gave a brief review of the process of accepting the CCPD annual budget. Mr. Lemin introduced Chief of Police Reed who stated the CCPD budget included expenditures for shot guns, body armor, shields, computers, and tasers in that most of the equipment the police department was currently using was becoming outdated and needed to be replaced. Chief Reed stated salaries and other expenditures included the School Resource Officer [AISD funds half of this position], police officer position approved last year, SWEAT, Explorers, training, and the park monitor. He acknowledged CCPD President David Johnson was in the audience if Council had further questions.

Mayor Brundrett opened the public hearing at 8:14 p.m. and there being no one to speak, closed the public hearing at 8:15 p.m.

Mayor Brundrett stated this was only a public hearing and no action would be taken, and noted the CCPD Budget would be on the August 20, 2013 Council Agenda for consideration of passage.

ACTION ITEMS

5. Consider any action on a vote to place a proposal to adopt a specific 2013 tax rate at a special council meeting to be held September 10, 2013.

Mayor Brundrett recognized City Manager Lemin who stated state law required the governing body to place a proposal to adopt the rate on the agenda of a future meeting as an action item if the proposed tax rate exceeded the lower of the rollback rate or the effective rate. He stated the public hearings on the proposed rate had been previously scheduled for August 27, and September 3, 2013 to be held in the council chambers.

Councilman Rothenberger moved to place a proposal to adopt a tax rate of \$0.6595 on the September 10, 2013 Council meeting agenda as an action item. Mayor Pro Tem Jones seconded the motion.

The vote is as follows:

Ayes: Brundrett, Jones, McClure, Rothenberger, and Barrett

Nays:

Abstentions:

Mayor Brundrett declared the motion passed unanimously.

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MAYOR/COUNCIL COMMENTS OF COMMUNITY INTEREST

Mayor Brundrett updated Council on the Tarrant County Mayors Council meeting on August 5, 2013 stating the Tarrant County Health Department had done extensive West Nile Virus (WNV) testing in the County and had five mosquitos tested positive compared to last year's testing which had over one hundred mosquitos testing positive. He stated the health department did not have an answer or reason for the drop in WNV borne mosquitos, only suggested the birds might have become immune to the virus or the mosquito migration had moved. Mayor Brundrett stated the county health department was assisting the Texas Department of State Health Services in the search for the cause of the cyclospora outbreak in Texas and seventeen other states.

ADJOURNMENT

Mayor Brundrett adjourned the meeting at 8:33 p.m.

PRESENTED AND APPROVED this the 20th day of August 2013.

APPROVED:

Alan Brundrett, Mayor

ATTEST:

Norma Zenk, TRMC, City Secretary