

## TOWN OF WESTOVER HILLS

### MINUTES

#### Town Council Meeting Tuesday September 18, 2012 Westover Hills Town Hall

#### **Present:**

Mayor Stephen Tatum  
Mayor Pro Tem Kelly Thompson  
Council Member Marcus Snyder  
Council Member Jack Koslow  
Council Member John R. Thompson III  
Council Member Elliot Goldman

#### **Staff Present:**

David Burgess, Town Administrator/Police Chief  
Tim Chambers, Public Works Director  
Randy McKee, Building Official  
Penny Spikes, Administrative Assistant  
Mary Barkley, City Attorney

A meeting of the Westover Hills Town Council was scheduled for 6:00 p.m. on Tuesday, September 18, 2012 at the Westover Hills Town Hall pursuant to written notice posted on Friday, September 14, 2012.

#### **1. Call To Order.**

With a quorum of Council Members present, Mayor Stephen Tatum called the meeting to order at 6:04 p.m.

#### **2. Approve minutes of August 20, 2012 council meeting.**

Mayor Steve Tatum recommended deferring approval of the August 20, 2012 council meeting minutes until the October, 2012 council meeting to allow the council members time to review the revised draft.

#### **3. Financial Statements.**

City Secretary James C. Mahanay was not present. Agenda item was withdrawn.

#### **4. Discuss and take action on variance request at 2212 Hidden Creek Road for a pergola to encroach into the rear setback 3 ft. and a variance for a 6 ft. high front fence.**

Mr. Jeremy Toothe, as representative of owner Mr. Reid Martin, presented the variance request. Mayor Stephen Tatum read the names and comments of three residents that submitted comment cards with respect to the variance, all of whom were in support of the variance.

Council Member Jack Koslow made the motion, seconded by Council Member John Thompson, to approve the variance. The motion carried unanimously.

#### **5. Discuss and take possible action on a request to install "No Parking" signs on the south and east curbs located on the cul-de-sac at 2100 Hidden Creek.**

Resident Ruthie Bravenec, who resides at 2108 Hidden Creek, presented her case to have "No Parking" signs installed along a portion of the cul-de-sac adjacent to her property. Contractors

employed by Robert Bass frequently use the cul-de-sac for parking. Mrs. Bravenec is concerned with her safety and the appearance of her property, which she is attempting to sell. Resident Dotti McManus, who resides at 2109 Hidden Creek, also expressed dissatisfaction with the current parking situation. Mrs. McManus presented pictures to illustrate the parking situation. Town Administrator David Burgess has spoken with the Bass Property Manager, Ed Barry, on several occasions, but Mr. Barry has not resolved the matter to the satisfaction of the complaining neighbors.

Mayor Stephen Tatum committed to contact Mr. Bass directly and seek to resolve the issue, and indicated the item will be rescheduled for the October council meeting agenda for review.

**6. Discuss and take action on adoption of FY 2012-2013 General Fund Budget.**

Council Member Kelly Thompson briefly discussed the FY2013 General Fund budgeting process and results.

During the budgeting process, the Town Council conducted two open budget workshops in which the Council established several objectives, including: (a) avoiding an increase in the Town's property tax rate, (b) eliminating deficit spending by balancing FY2013 expenses with FY2013 revenues, and (c) replacing the tiered water rate structure with a flat rate structure as existed prior to January, 2011.

Mr. Thompson observed that the proposed FY2013 General Fund budget calls for a slight reduction in property tax rates and a balanced budget in which FY2013 revenues equal FY2013 expenses and capital expenditures. Remaining payments on projects approved under the FY2012 capital expenditure program but not fully completed during FY2012 result in a projected net cash outflow of \$175,000.

Council Member Jack Koslow, seconded by Council Member Marcus Snyder, made the motion to approve the FY2013 General Fund budget. The motion carried unanimously.

**7. Discuss and take action on adoption of FY 2012-2013 Water Enterprise Fund Budget.**

Council Member Kelly Thompson briefly discussed the FY2013 Water Enterprise Fund budget, referencing the process and objectives mentioned during the General Fund budget discussion.

Mr. Thompson observed that the proposed FY2013 Water Enterprise Fund budget calls for a flat rate pricing structure under which the average resident's water rate is projected to decline by 10%. The budget results in a modest surplus in FY2013 before paying to complete FY2012 capital expenditure projects that will carry over into FY2013. Including the FY2012 capital expenditure carryover, the budget results in a slight deficit.

Council Member Jack Koslow, seconded by Council Member Marcus Snyder, made the motion to approve the FY2013 Water Enterprise Fund budget. The motion carried unanimously.

**8. Discuss and take action to adopt an ordinance setting ad valorem tax rate of 0.36023758 dollars on each \$100 valuation of all property.**

Council Member Kelly Thompson presented the Tax Ordinance which would establish a tax rate of 0.36023758 dollars per each \$100 valuation of property.

Council Member Kelly Thompson, seconded by Council Member Jack Koslow, made the motion to approve the new ad valorem tax rate. The motion carried unanimously.

**9. Discuss and take action on consistency, font and colors of signage for the Town of Westover Hills.**

Agenda item was removed.

**10. Executive Session.**

Mayor Stephen Tatum adjourned the regular meeting to convene into Executive Session at 6:30 p.m. to discuss the following:

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules and as authorized by Section 551.071 of the Texas Government Code:

a. Legal issues concerning any item listed on today's Town Council meeting agenda.

2. Deliberate the purchase, exchange, lease, or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and

3. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.

4. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, in accordance with Section 551.074 of the Texas Government Code.

Mayor Stephen Tatum adjourned the Executive Session at 7:15 p.m. to reconvene into the regular meeting.

**11. Adjournment.**

There being no further business, Mayor Stephen Tatum adjourned the meeting at 7:15 p.m.

Attest:

Approved:

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James C. Mahanay  
City Secretary

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Stephen Tatum  
Mayor