

# TOWN OF WESTOVER HILLS

## MINUTES

**Town Council Meeting  
Tuesday, April 18, 2017**

### **Present:**

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

### **Staff Present:**

Joseph S. Portugal, Town Administrator  
Penny Spikes, Town Secretary  
David Burgess, Police Chief  
Tim Chambers, Public Works Director  
Jack Thompson, Community Development Director

### **Absent**

Council Member John Thompson III

The meeting of the Town of Westover Hills Town Council commenced at 6:00 P.M. Tuesday, April 18 2017, at the Westover Hills Town Hall pursuant to written notice posted Friday, April 14, 2017.

### **CALL TO ORDER**

With a quorum of Town Council Members present, Mayor Stephen L. Tatum called the meeting to order at 6:00 P.M.

### **CITIZEN'S FORUM**

No residents addressed Council.

#### **1. CONSENT AGENDA**

##### **A. Minutes of the March 21, 2017 Regular Meeting.**

Council Member Elliot Goldman made the motion, seconded by Council Member Jack Koslow, that the minutes of the March 21, 2017, meeting be approved. The motion carried unanimously.

#### **2. Financial Statements: Review of the Town Financial Statements for March, 2017.**

Paul Kelsey, BDO, stated the financials were uneventful in March and all budget variances are due to timing differences.

#### **3. Quarterly Investment Report.**

Joseph S. Portugal, Town Administrator, presented the Quarterly Investment Report and stated that the balance of property Taxes has been received.

#### **4. VARIANCES**

- A. Consider A Request For Two Variances To The Town Of Westover Hills, Texas Code of Ordinances; A Variance From Chapter 14, Article 14.02, Section VIII, Zoning Ordinance, To Allow The Construction Of A Retaining Wall, Ranging From Two Feet (2') To Six Feet (6') In Height And Constructed Within The Town Rights-Of-Way, Parallel To The East Side Of The Paved Roadway Of Valley Ridge Road at 31 Valley Ridge Road; And, A Variance From Chapter 14, Article 14.02, Section VII, Zoning Ordinance, To Allow The Construction Of A Retaining Wall In Excess Of Four Feet (4') In Height Along The Sides Of The Lot In Front Of The Main Portion Of The Dwelling, Parallel To The East Edge Of The Paved Roadway Of Valley Ridge Road At 31 Valley Ridge Road.**

Jack Thompson, Community Development Director, presented the variance and stated 24 residents received variance notification letters. No opposition letters were received.

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

- 5. Receive A Report, Hold A Discussion And Give Staff Direction Regarding A Utility Rate Study.**

Joseph S. Portugal, Town Administrator, explained that because Council is considering a Capital Improvement Plan to attend to utility infrastructure and streets where the utilities are located, utility rates should be reviewed as they are a component of debt service financing. Mr. Portugal recommends entering into an agreement with NewGen Strategies to perform a utility rate study.

It was decided to wait until the Town is closer to beginning the Capital Improvements Plan before making a decision on the rate study.

- 6. Receive a Report, Hold A Discussion And Give Staff Direction Regarding Engineering Services And CIP.**

Jed Walker, Walker Partners, President, explained his engineering firm would like the opportunity to provide the Town of Westover Hills with a 2016-2020 Capital Improvement Plan with regards to water, wastewater and streets. Walker Partners will (1) prepare an objective Capital Improvement Plan based upon engineering analysis, (2) quantify and differentiate immediate needs vs. future needs and (3) recommend 'best value' projects to maximize return on investment. The project will take 60 to 90 days to complete and cost \$50,000.

Item was tabled until the May meeting.

- 7. Receive A Report And Hold A Discussion Regarding The Insurance Services Office (ISO) Audit.**

Joseph S. Portugal, Town Administrator, stated the ISO has recommended a classification of "1" to the Texas Department of Insurance/State Fire Marshall's Office.

- 8. Receive A Report, Hold A Discussion And Give Staff Direction Regarding Street Signs.**

Item was tabled until the May meeting.

- 9. ORDINANCES**

- A. Consider Adoption Of Ordinance No. 17-02, An Ordinance Of the Town Council Of The Town Of Westover Hills, Texas; Approving And Adopting The Westover Hills Wastewater Contract For Services Rendered By The City Of Fort Worth, Texas; Providing A Severability Clause; And, Providing An Effective Date.**

Council Member Elliot Goldman made the motion, seconded by Council Member Marcus Snyder, that Ordinance No. 17-02 be approved. The motion carried unanimously.

**10. RESOLUTIONS**

- A. Consider Approval Of Resolution No. 17-03, A Resolution Of The Town Council Of The Town Of Westover Hills, Texas; Suspending The April 21, 2017, Effective Date Of Oncor Electric Delivery Company's Requested Rate Change To Permit The Town To Study The Request And To Establish Reasonable Rates; Approving Cooperation With The Steering Committee Of Cities Served By Oncor To Hire Legal And Consulting Services And To Negotiate With The Company And Direct Any Necessary Litigation And Appeals; Finding That The Meeting At Which This Resolution Is Passed Is Open To The Public As Required By Law; Requiring Notice Of This Resolution To The Company And Legal Counsel For The Steering Committee.**

Council Member Jack Koslow made the motion, seconded by Council Member Marcus Snyder, that Resolution No. 17-03 be approved. The motion carried unanimously.

- B. Consider Approval of Resolution No. 17-04 A Resolution Of The Town Council of the Town of Westover Hills, Texas, Authorizing The Town Administrator To Execute An Agreement For Banking Services With Frost Bank.**

Council Member Marcus Snyder made the motion, seconded by Council Member Jack Koslow, that Ordinance No. 17-04 be approved. The motion carried unanimously.

- C. Consider Approval of Resolution No. 17-05 A Resolution of the Town Council of the Town of Westover Hills, Texas, Amending The List Of Authorized Representatives For Participation In TexPool.**

Council Member Kelly Thompson made the motion, seconded by Council Member Marcus Snyder, that Ordinance No. 17-05 be approved. The motion carried unanimously. Resolution No. 17-05 added Joseph S. Portugal, Town Administrator, and Penny Spikes, Town Secretary, as individuals able to process transfers between accounts.

- D. Consider Approval of Resolution No. 17-06 A Resolution of the Town Council of the Town of Westover Hills, Texas, Authorizing The Town Administrator To Execute An Agreement With The ICMA-RC For A Deferred Compensation Plan.**

Council Member Kelly Thompson made the motion, seconded by Council Member Marcus Snyder, that Ordinance No. 17-06 be approved. The motion carried unanimously.

**11. TOWN COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS/OR REPORTS.**

No requests.

**12. CLOSED SESSION**

**Closed Session Pursuant To Chapter 551. Texas Local Government Code V.T.C.S. (Open Meetings Law), In Accordance With The Authority Contained In Section §551.071 Legal, Section §551.072 Real Estate and Section §551.074 Personnel.**

- A. Legal - Under Texas Government Code, Section §551.071 And Rule 1.05 Professional Rules of Conduct.**
- B. Real Estate - Under Texas Government Code, Section §551.072.**
- C. Personnel - Under Texas Government Code, Section §551.074.**


**Any final action, decision or vote on a matter deliberated in Closed Session will be taken in an Open Meeting that is held in compliance with Texas Government Code Chapter 551. The Town Council reserves the right to convene in Closed Session as authorized by the Texas Government Code Section §551.001, Et. Seq. (Texas Open Meetings Act) on any item on its Open Meeting Agenda or to reconvene in a continuation of a Closed Meeting items noted above, in accordance with the Texas Open Meetings Act, including without limitation Sections §551.071-§551.085 of the Texas Open Meetings Act.**

**13. Adjournment.**

There being no further business to discuss, Mayor Stephen L. Tatum adjourned the meeting at 8:05 P.M.

Approved:

  
Penny Spikes  
Town Secretary

  
Stephen L. Tatum  
Mayor