

**TOWN OF LAKESIDE  
MINUTES OF THE REGULAR CITY COUNCIL MEETING  
9830 CONFEDERATE PARK ROAD  
LAKESIDE, TEXAS**

**DATE: March 8, 2012**

**6:30 p.m.**

1. The meeting was called to order at 6:30 p.m. by Mayor Patrick Jacob.

In attendance were Mayor Patrick Jacob, Councilmembers Don Pitts, Dale Martin, Amy Robinson and Gaspare LaDuca. Councilmember Kim Ware arrived at 6:32 p.m. Staff members present were Town Administrator Dianna Buchanan, Police Chief Lee Pitts, Water Superintendent Craig Bennett, and City Attorney Kenneth East.

2. The pledge of allegiance was recited.
3. There were no visitors with items of business not on the agenda.
4. Motion by Mr. Dale Martin and second by Ms. Amy Robinson to approve the February 9, 2012, Regular City Council Meeting Minutes. Motion approved unanimously.

**5. Commission and Staff Reports**

- A. Chief Lee Pitts gave the monthly Police Department report. He reported there was 1 9-1-1 hang up, 1 minor accident, 2 alarm calls, 2 animal complaints, 6 arrest-not traffic, 6 ambulance calls, 2 animal complaints, 6 assist other agency, 1 domestic, 1 follow up investigation, 1 found property, 9 investigations, 3 meet with complainant, 1 noise complaint, 1 ordinance violation, 1 reckless driver, 1 suspicious person, 1 suspicious vehicle, 1 theft, and 2 welfare concerns. There were also 5 house checks received.
- B. Ms. Buchanan reported the monthly financial report. The operating account balance as of February 29, 2012, was \$853886.21. The Certificate of Deposit balance is \$720,000, and year to date through February 2012 interest received is \$4,077.81 on the certificate of deposits.
- C. Mr. Craig Bennett reported the monthly water department activity. Repaired one six inch main leak on Oakwood Ct. Meter reading completed. Dead end main flushing completed. Bac-t's came back clean for water. Ph level lowered in spray field ponds at sewer plant by adding chemicals, so test came back acceptable range this month. The fixture for the backup light on the elevated water storage tank was replaced. Both generators were filled with fuel at the pump stations, before gas prices increase for summer. Dirt Work completed where previous line repairs done at Watercress, Mountain Ridge, Trailside Ct. and others. The plan for street repairs this month is to cut out areas that need to be repaired to prepare for a load of hot mix. Hope to have new hire begin this

**Council Meeting Minutes**  
**March 8, 2012**  
**Page 2**

month. Mr. McDonald got his raise that was in budget after he passed and received sewer license. A report for Northern Trinity Ground Water Conservation was due March 1<sup>st</sup>. This is to meet requirements to report water production, and pay for water pumped out of ground. The NTGWC says this fee is to generate revenue to manage local ground water resources pumped in Tarrant County. When first charged, the rate was 3 cents per thousand gallons pumped. After October 1, 2011, the rate increased to 10 cents per thousand gallons. A report was also due March 1<sup>st</sup> to the Texas Water Development Board. Items they require to be reported are how much water is pumped and from which aquifers; how much water was sold; how much was purchased; how many services we have broken down by residential and commercial. The Town pumps 85,500,000 gallons and over 9,000,000 gallons was purchased last fiscal year for a total of 95,000,000 gallons. We have been replacing well meters, and they are being calibrated. All well meters are required to be calibrated every three years by the TCEQ. The well meter replacements and calibrations will result in more accurate information on well readings to report in the future. Also a thanks to Mrs. Chambers who assisted in preparing the reports, and also assist us in many ways on a daily basis. Also, a thanks to James McDonald for participating and assisting with the reports.

- D. Ms. Megan Arnold, P.E., Road Commission gave the road condition report. She noted that construction at the southern end of Vanshire Road East/West is complete or nearing completion. Portions of the road in this area have been repaired and the remaining roadway will be repaired next month. Further, that areas at the intersections of Western Trails Road and Mountain View Court West and Western Trails Road and Trailside Court West have been damaged by water line leaks. These areas will be repaired soon, with permanent repairs being made next month. Places where potholes have formed and where previous repairs have been damaged are at the intersection of Lakeridge Road and Crest Ridge Circle, near 531 Crest Ridge Drive, at the intersection of Aquilla and Stone Drive and near 504 Emily Drive. These are planned to be repaired next month. The clearing of brush and branches in the right-of-way, cleaning dirt, leaves and excess gravel from the gutters, and crack sealing throughout the Town will be addressed by the County.

**6. Action Items**

- A. Motion by Ms. Kim Ware and second by Mr. Dale Martin to approve a resolution suspending the March 6, 2012, effective date of Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex") requested rate change to permit the city time to study the request and to establish reasonable rates; approving cooperation with

Atmos Cities in the Atmos Cities Steering Committee (“ACSC”) and other cities in the Atmos Mid-Tex Service Area to hire legal and consulting services and to negotiate with the company and direct any reimbursement of cities’ rate case expenses; 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 ACSC’s legal counsel. Motion approved unanimously

- B. Motion by Ms. Kim Ware and second by Mr. Dale Martin to approve Ordinance 333 establishing rules and regulations regarding sanitation and pollution control of the areas in proximity to the Town’s public water supply wells. Motion approved unanimously.

## **7. DISCUSSION ITEMS**

- A. Discussion of Certificate of Occupancy Requirements. Ms. Buchanan explained that the Town’s ordinances have required certificates of occupancy for some time and requires that certificates of occupancy be issued for every nonresidential structure. Right now a program has not ever been started to bring existing businesses into compliance. These are a very important tool to make sure buildings are up to safety and fire codes. In addition, staff uses certificates of occupancy to make sure sales tax receipts are reported to the Comptroller’s office as Lakeside, not some other entity. They also allow staff to track business changes, new business ownership or a different tenant. This keeps contact information current in the event of any type of emergency.

Staff proposes to bring existing businesses into compliance by sending out a letter to existing business owners with the certificate of occupancy application, and give them a deadline to return the application so that a fire safety inspection can be performed by the Fire Marshal. The information mailed out would also contain complete details on the certificate of occupancy program. If returned by the deadline, the certificate of occupancy fee will be waived. If returned after the required date, then the property owner would have to pay the certificate of occupancy fee. Thereafter, the business will be inspected annually Ms. Buchanan said she was to meet next week with Lake Worth Fire Chief Mike Christensen and Lake Worth Fire Marshal Mike Voorhies to try to negotiate an agreement regarding fire inspections and investigations.

- B. Discussion of amending the Code of Ordinances to add the requirement that any outstanding ad valorem taxes be paid prior to issuance of a new building permit or certificate of occupancy, and require proof of the same. This is a procedure that is done in most cities, and will ensure that ad valorem taxes (property taxes) are not delinquent. Staff can look up tax payment records at the time the application is submitted and, if not current on account, notify the applicant that they must bring their tax account up to current before a permit or certificate of occupancy for the property can be issued.
- C. Discussion of amending the Code of Ordinances to add the requirement that service contractors (plumbing, mechanical, electrical, fence, roofing, general, home builder, home remodeler, irrigation, sign, sign electrical, swimming pool, paving, refuse, backflow general tester, backflow fireline tester, fire extinguisher, fire alarm, fire sprinkler, propane) performing work in Lakeside register annually with the Town; to establish registration fees; and to establish penalties for doing work without required registration. Staff advised Council that contractor registrations are required in almost all other area cities and towns and are a way to document contractors and companies working in Lakeside. It is also a way to make sure that contractor information is on file with the Town that is not always required when a permit is applied for. This information is good to have in the event of any type of problem with the work performed.
- D. Discussion of amending the Code of Ordinances, Chapter 90 Animals, in particular
  - 1. 90.24 Animal Registration (C) to strike “The registration period will be from June 1 to May 31 of the following year” and to replace with “The registration period will run concurrent with animal’s initial vaccination date, and must be renewed annually.”
  - 2. 90.24 Animal Registration to add “(H) Owner is solely responsible to immediately notify the Town of changes to contact information, in particular contact telephone numbers.”
  - 3. 90.29 Impoundment (H) (1) to change number of hours animals displaying current registration tags to be held from 72 hours to 120 hours.
  - 4. 90.29 Impoundment (H) (2) to change number of hours animals not displaying current registration tags to be held from 72 hours to 12 hours, and to change the number of hours to be held from 72 hours to 144 hours, if the animal is picked up on a Friday or the day before a national holiday.

5. 90.30 Impoundment Fees. (A) Change first impoundment in 12 months to \$25; second to \$50; third to \$74; fourth and thereafter to \$100 each.

Changes are being recommended by staff to allow residents to renew their pet licenses all year long instead of all by the end of May each year. This will allow staff to better manage the workflow. Also, staff recommended to add some type of wording so that owners are responsible for updating contacting information when it changes, so they can be reached if their pet is picked up or impounded. Lastly after discussing the ordinance with Dr. Sultemeyer of Lakeside Animal Hospital, staff recommended that the number of hours pets are impounded before they are disposed of be increased. Also, staff recommends that the impoundment fees be increased to better cover the expenses incurred by the Town when pets have to be picked up by staff and impounded.

## **8. ANNOUNCEMENTS**

A. The Lakeside Spring Clean Sweep will be held on Saturday, April 21, 2012, at Town Hall, from 9 a.m. to 12 noon.

B. Candidates for City Council, May 12, 2012, General Election as of March 5, 2012 are:

Councilmember Place 1: Mr. Richard Dennis & Mr. Jim Elliott

Councilmember Place 2: Mr. Dale Martin (incumbent) & Mr. Charles Hamilton

Councilmember Place 3: Ms. Kim Ware (incumbent) & Mr. Tim Thomas

C. Other announcements: there were none.

9. Mayor Patrick Jacob retired the Council to Executive Session at 7:47 pm, pursuant to Texas Government Code, Section 551.072, to retire to executive session to discuss and deliberate about the purchase, exchange, lease or value of real property.

10. Mayor Patrick Jacob reconvened Council to Regular Session at 7:56 p.m. There was no action arising from the Executive Session.

11. **ADJOURNMENT**--The meeting was adjourned at 7:57 p.m.

**Council Meeting Minutes**  
**March 8, 2012**  
**Page 6**

SIGNED:

ATTEST:

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PATRICK JACOB  
MAYOR

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DIANNA BUCHANAN  
TOWN ADMINISTRATOR/SECRETARY