

COUNCIL MEETING
COUNCIL CHAMBERS
DECEMBER 9, 1986

ABSENT: Councilman Bagsby

ITEMS TO BE CONTINUED/WITHDRAWN

Councilman Williams requested that M&C G-6896 - an M&C regarding approval of consent of the Johnson County Water Supply Corp., be continued in one week.

Councilman Zapata requested that M&C C-10023 - an award of contract management for the Municipal Building Third Floor Completion, be continued in two weeks.

2. WITHDRAWN

Councilman Lancaster withdrew 1. M&C G - 6887 - Approval of Estimates; setting Benefit Hearing - Fort Worth Improvement District No. 1 (Held over From A Previous Week). In its place, Councilman Garrison approved 2. M&C G - 6887 - (Revised) Approval of Estimates; Setting Benefit Hearing for December 22, 1986 - Fort Worth Improvement District No.1.

Councilman Gilley withdrew M&C C-10009 - The Contract for the Installation of Community Facilities Mira Vista Phase IA.

M&C L-9054 - Cancellation of Lake Worth Lease - Lot 13, Block 31, Lake Worth Lease Survey AKA 8124 Heron Drive was withdrawn from the agenda.

Mayor Pro Tem Williams requested that P 9 13 THRU P 22 be delayed one week. Councilman Lancaster requested that P 23 through P 33 P-1968 be delayed one week.

3. BOARD/COMMISSIONS

Councilman Lancaster appointed Dr. Bill Boyd to the Library Board.

4. COMMENTS AND REQUESTS

Councilman Lancaster asked that the City Manager respond to the editor of the Star Telegram about an article which appeared in Sundays newspaper regarding water conservation.

Mr. Harman stated that a Pre-Council workshop would help to explain the City's position better. He agreed that the City should identify all costs and steps and that the City should have been more explicit. He stated that water conservation is an important issue for Fort Worth.

Councilman Zapata asked whether the Council would receive a real report.

Mr. Harman stated that each report was real.

Mayor Pro-Tem Williams stated that he had questions about overspending.

Councilman Murrin asked the City Manager to present the general construction

plans and the general construction concept for the third floor at the next meeting.

Councilman Zapata stated that he had problems in dealing with the City Manager. He stated that he was not going to run again for the Council if he were to only be a figure head as opposed to a policy maker. He asked what is his role.

Mr. Harman stated that the City Attorney and the City Charter answers that question.

Councilman Zapata stated that after calling Mr. Harman about audit reports the City Management staff became inaccessible.

Mr. Harman stated that many things were being spoken to. He stated that it is not accurate to say that the information Councilman Zapata requested from Mr. Guajardo was not given. Mr. Harman stated that he questioned whether it is acceptable for an individual Council member to go to individual staff members to request information reports. Mr. Harman questioned whether such a practice is legally acceptable. Mr. Harman stated that the point one needs to keep in mind is that the staff is responsible to the entire City Council.

Mayor Bolen stated that the Council and the Mayor have the right to get any piece of information, anytime. He stated that we need a clarification; this is the understanding that the City had under Mr. Herchert.

Mr. Harman stated that the City Manager's request is a matter of practicality and courtesy. He stated that we need to be informed. He stated that otherwise there would be a free for all, for all.

Mr. Zapata stated that Mr. Harman's comments were hog wash. He stated that he thought that he found information that was pertinent. He stated that he had spoken to Mr. Harman. "All of a sudden, the City seemed to clamp down. What are we afraid of?" He stated that he should have this right, that it's the principle.

Mayor Pro Tem Williams stated that he has been able to go to the departments with the City Manager's blessings. Mayor Pro Tem Williams stated that receiving information has never been a problem. The amount of time to receive a response has been the problem.

Mayor Pro Temp Williams stated that there is a communication gap.

Councilman Zapata asked again "Can I ask questions or not?"

Councilman Murrin stated that he has less access to the staff than when he was an individual citizen.

Councilman Lancaster stated that "we need to get a meeting." He stated that in working with the City Manager, he was told that he could seek any information. The City Manager, however would like to be kept informed of any request.

Councilman Zapata stated that a meeting needs to be set up.

Council and the City Manager questioned whether the meeting should be an Executive Session matter and whether this was a personnel matter. The Mayor stated that it should be in an open session.

In regards to 2-86-167, Councilman Zapata stated that he was concerned about a

change of owners. He does not want any additional business building to take place downtown until that business addressess the parking needs it will create for its potential employees. Otherwise, he stated that current tenants would be forced to clamp for parking.

Councilman Lancaster asked whether the City has plans that would not involve city funds committed to this expenditure.

Mr. Bilardi stated that the problem has been studied. He stated that the City needed to convey to new businesses that they must provide their own parking.

5. CITIZENS PRESENTATIONS

Mr. Bill Gates, a Pawn Shop Owner, spoke to Council to obtain a certification of ocupancy for his pawn shop. Since July he has applied for status as a pawn shop dealer with both the State and the County. Thus far he informed the Council that he has received support from potential neighbors near this pawn shop.

Mr. Bilardi stated that Mr. Gates had not been originally registered as a pawn shop owner but a second hand dealer. He had made inquiries outside of the City to the State and the County. On December 5th, Mr. Gates asked the City to inspect it, as required by the ordinance governing pawn shops. On December 8th, an inspection was given. The Inspector informed Mr. Gates that provisions for the handicap would be needed.

Councilman Vance stated that the Council needed to be consistent. This facility was in place before the Moratorium. This case should be considered in the same light.

The Zoning Board of Adjustment would look for a variance if the Council passes the ordinance.

Ms. Helen Wallace asked the Council about figures regarding the Downtown Inc. contract and whether a majority of the residents had voiced their position on this issue. She stated that she had not been given a list of the Downtown tax payers who consented to this contract. She asked whether the City and Downtown Inc. had made up this list of people. She also asked why the hurry. The Mayor gave her his list today. He informed her that a majority of her colleagues had agreed with this plan.

Councilman Zapata stated that she had a legitimate question. Why the rush? The streets are in rough repair. No cleaning work can be made on them until they are repaired.

Mr. Harman stated that downtown will never be free of changes and that it would not be good to delay this.

Ms. Wallace also asked what would become of funds ear-marked for this contract if construction is not completed when the contract expires or if this company dissipates or is eliminated.

State Legislator Doyle Willis informed Council about a high speed train bill that would be acted on December 22, 1986. He would need the City's help to ensure that a terminal would extend to Fort Worth/Arlington in addition to the scheduled route: Dallas/Houston.

The Mayor thanked Representative Willis and stated that this information would be passed onto the Rail Transit Department.

ZONING HEARING

Zoning Docket No. Z-86-170 location of pawn shops was continued for a one month hearing. Attorney Bill Butcher, Assistant Attorney Wayne Olson and Mr. Bruce McClendon spoke to Council.

Zoning Docket No. Z-86-167 was approved for change from "J" Light Industrial to "HPD" and required site plan approval. Mr. Russell B. Robertson and Mr. Joe Bilardi spoke to Council.

Mr. H. Dennis Hopkins spoke to Council about Zoning Docket No. Z-86-129, which was approved.

Mr. Jim Dunway spoke to Council about Zoning Docket No. Z-86-135, which was approved.

Zoning Docket No. Z-86-175 and Z-86-178 were set for a special City Council zoning hearing.

The City adopted Ordinance No. 9780 adding new Section 18A Appendix A to the Code of the City of the Fort Worth regulating sexually-oriented businesses. The City adopted Ordinance No. 9781, amending Appendix A of the Code of the City of Fort Worth, regulating the location of hotels and motels within 500 feet of residentially zoned property. The City adopted Ordinance No. 9782, amending Zoning ordinance No. 3011. The City closed a first public hearing for annexation of 93.895 acres to Pecan Hills Addition.

The City continued until January 13, 1987, consideration of repeal of Ordinance No. 9733, as amended by Ordinance No. 9751 (Moratorium on Establishment of Pawn Shops).