

TOWN OF WESTOVER HILLS

MINUTES

**Town Council Meeting
Tuesday, June 18, 2013
Westover Hills Town Hall**

Present:

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

Staff Present:

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

A meeting of the Westover Hills Town Council was scheduled for 6:00 p.m. on Tuesday, June 18, 2013 at the Westover Hills Town Hall pursuant to written notice posted on Friday, June 14, 2013.

1. Call To Order.

With a quorum of Council Members present, Mayor Pro Tem Kelly Thompson called the meeting to order at 6:05 p.m.

2. Approve minutes of May 21, 2013 council meeting.

Council Member Marcus Snyder made the motion, seconded by Council Member Jack Koslow, that the Minutes of the Town Council Meeting, as circulated by Council Member Marcus Snyder, for May 21, 2013 be approved. The motion carried unanimously.

3. Financial Statement.

Town Administrator David Burgess presented the Town financial statements prepared by RCO as well as the Town's departmental activity report. He explained that staff is in the process of transferring the accounting software and data to an online hosting service. All processes are working correctly with the exception of the Accounts Payable printing function, which is currently being researched by the hosting company.

4. Discuss and take action on a resolution to approve and adopt a Rate Review Mechanism for ATMOS Energy Corporation.

Marilyn Ackmann, a representative from ATMOS Energy, addressed Council seeking approval for a resolution for the upcoming year's rate schedule. After discussion surrounding the rate various options, it was decided to sign the initial Rate Review Mechanism agreement.

Council Member Jack Koslow, seconded by Council Member Marcus Snyder, made the motion to approve and adopt the Rate Review Mechanism for ATMOS Energy. The motion carried unanimously.

5. Discuss and take action on the following three variance requests at 2212 Hidden Creek Road.

- **Construct a 13 foot rear retaining wall exceeding the 6.5 foot limit**
- **Construct the 13 foot rear retaining wall into the building setback**
- **Construct a swimming pool that will encroach approximately 2 feet into the building setback**

Building Official Randy McKee presented the construction plans. Both the home owner, Mr. Martin, and the contractor were present to answer questions from Council. None of the three response letters received objected to the project.

Council Member Jack Koslow made the motion to approve the request. Council Member Marcus Snyder seconded and the motion carried unanimously.

6. Discuss and take action on Town ordinance to codify prior police department regulations into the code of ordinances.

Police Chief David Burgess presented the newest edition revised by Council Member John Thompson. Council Member Jack Koslow made the motion to approve the request, seconded by Council Member Marcus Snyder. The motion carried unanimously.

7. Update on webpage.

Town Administrator David Burgess briefed Council on the progress of the new webpage. He advised Council that staff needs approval to move forward so the Town can seek GOLD recognition from the Texas State Comptroller's Leadership Circle for Governmental Transparency.

8. Executive Session.

Mayor Pro Tem Kelly Thompson adjourned the regular meeting to convene into Executive Session at 6:45 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 City Council meeting agendas.

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.

- Real property allocated at 45 Westover Road.

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.

- Discuss possible improved security devices for the Town.

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 Pro Tem Kelly Thompson adjourned the Executive Session at 7:30 p.m.

9. Adjournment.

There being no further business, Mayor Pro Tem Kelly Thompson adjourned the meeting at 7:30 p.m.

Approved:

Stephen Tatum
Mayor