

**MINUTES**  
**HALTOM CITY COUNCIL MEETING**  
**CITY HALL, 5024 BROADWAY AVENUE**  
**July 13, 2015**

A Regular Meeting was held by the City Council of the City of Haltom City, Texas, on July 13, 2015, at 7:00 p.m. at City Hall, 5024 Broadway Avenue, Haltom City, Texas, with the following members present, to-wit:

Mayor David Averitt	Mayor Pro Tem Bob Watkins
Council Place 1 Jeannine Nunn	Council Place 2 Walter Grow
Council Place 3 Scott Garrett	Council Place 4 Trae Fowler
Council Member 6 Stephanie Davenport	Council Place 7 Dr. An Truong

Staff Present: Tom Muir, City Manager; Cara White, City Attorney; Art Camacho, City Secretary; Jennifer Fung, Finance Director; Justin French, Planning and Community Development Director; Tom Henry, Parks and Recreation Director; Lorraine Irby, Municipal Court Judge, and Greg Van Nieuwenhuize, Public Works Director.

Special Guest was "Mayor For A Day" (FAD) Alyson Grow.

**WORKSESSION**

**CALL TO ORDER**

Mayor David Averitt called the Worksession to order at 6:00 p.m. The Regular Agenda was reviewed and a discussion was held on Agenda Item # 2 – Ordinance No. O-2015-011-15 (Z-005-15) – regarding the marketing of the property for other development besides office use. The rest of the Regular Agenda was reviewed and no changes were made. There was no Executive Session. Mayor Averitt closed the Worksession at 6:50 p.m.

**REGULAR MEETING**

**CALL TO ORDER**

Mayor Averitt called the meeting to order at 7:05 p.m.

**INVOCATION/PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Bob Watkins introduced David Stapp, of St. Luke United Methodist Church, who gave the Invocation. Mayor FAD Alyson Grow led the Pledge of Allegiance and the Texas Flag Pledge.

**ANNOUNCEMENTS AND EVENTS**

Mayor FAD Alyson Grow announced the following:

Library

*Family Movie Night* – On Monday, July 20<sup>th</sup>, the Family Movie night will be "Spy Kids" and on July 27<sup>th</sup> the movie "G Force" will be shown.

*Special Guests* – Friday, July 17<sup>th</sup> will present "Mad Science" at 2:00 p.m.; on Friday, July 24<sup>th</sup>, Magician Brett Roberts will be performing at 2:00 p.m; on Friday, July 31<sup>st</sup>, Bill Meadows will be bring an "edutainment" performance.

*Craft Saturday* – This activity will be held on Saturday, July 25<sup>th</sup> from 10:00 a.m. to 12:00 noon with easy-to-make crafts.

*Ladies Night Out* – This event will be held from 6:00 – 10:00 p.m., seating is limited, and you must call to purchase tickets.

### Fire Dept.

The Haltom City Fire Rescue will be holding a Kids Fire Camp this summer from July 27 through the 31<sup>st</sup> from 8:30 a.m. to 4:30 p.m. at the Haltom City Central Fire Station, 5525 Broadway Ave. The cost is \$100 and includes lunch each day, water and snack, a camp tee shirt, a Haltom City Fire cap, ID/lanyard and a whole lot of fun! Participants are asked to bring good work gloves, sunblock, insect repellent and a whole lot of energy!

### PARKS AND RECREATION

*Back to School Health Fair* – This event will be held on Saturday, July 25<sup>th</sup> at Haltom High School, from 9:00 a.m. to 1:00 p.m. The goal is to supply up to 5,000 students with a new backpack and school supplies. There will also be free dental and vision screenings, family photos and numerous vendors. Please contact Tom Henry for sponsorship information at 817-831-6464.

Keep Haltom City Beautiful - *Guinness World Record*. Community Projects Director Julie Jenkins and Beautification Board members Carol Williams gave a presentation regarding the Guinness World Record project and the distinction they achieved. They also included other awards and presented the Council with a new Christmas ornament.

### REGULAR AGENDA

1. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meetings of June 18, 2015, June 22, 2015, and June 27, 2015. Mayor Pro Tem Bob Watkins moved, seconded by Council Member Dr. An Truong, to approve the minutes of the June 18, 2015 and the June 27, 2015 Council meeting. ***The vote was unanimous. Motion carried.***
2. **Ordinance No. O-2015-011-15 (Z-005-15)** - Conduct a public hearing and consideration and/or action regarding approval of for approval of a Zoning Change request from "SF-1" Single Family Residential to "PD" Planned Development for all "O" Office uses located on Tracts 5, 5B6, and 5J of the Green B. Stanley Survey, Abstract 1378, being 3.819 acres of land located south of Northern Cross Boulevard and west of Haltom Road, locally known as 4500, 5009, and 5017 Haltom Road; and action on an amendment to O-2010-011-15, amending the Future Land Use Plan within the 2010 Comprehensive Land Use Plan – ***1<sup>st</sup> Reading.*** Planning and Community Development Director Justin French presented the ordinance and a discussion was held regarding the possible development of the property. Mayor FAD Grow – under the supervision and permission of Mayor Averitt – opened the Public Hearing at 7:35 p.m. and the following citizens came forward: (1) Citizen Stephen Tucker, 4509 Easy Street, requested that the Council only consider office zoning in regard to the neighboring citizens having to deal with the activities of evening businesses. (2) Charles Scoma, 8300 Carter Lane, also requested the property be developed with an office complex as the premium zoning. Mayor FAD Grow closed the Public Hearing at 7:42 p.m. and asked for a motion. No motion was made and the agenda item died for lack of a motion.
3. **Ordinance No. O-2015-012-15 (Z-006-15/CU-003-15)** – Conduct a public hearing and consideration and/or action for approval of a Zoning Change request from "C-1" Commercial District to "M-2" Heavy Industrial District and a Conditional Use Permit with site plan for Outside Storage Uses located on Tracts

53A and 53A2 of the Lewis G. Tinsley Survey, A-1532, being 0.86 acres located northwest of Airport Freeway (SH 121) and south of Parrish Road, locally known as 5002 Parrish Road; and action on an amendment to O-2010-011-15, amending the Future Land Use Plan within the 2010 Comprehensive Land Use Plan – **1<sup>st</sup> Reading**. Planning and Community Development Director Justin French presented the ordinance and a discussion was held regarding the use of masonry and repairing of the house for office use. Mayor FAD Grow opened the Public Hearing at 7:50 p.m. and the following citizens came forward: (1) Curtis Young, of the Sage Group, spoke on the property enhancement and the size of the vehicles operating from the facility. (2) Charles Scoma spoke on behalf of the quality work to be done by the construction company. Mayor FAD Grow closed the Public Hearing at 7:56 and recognized Council Member Scott Garrett, who moved, seconded by Council Member Truong, to approve Ordinance No. O-2015-012-15 (Z-006-15/CU-003-15) on the first reading. **The vote was unanimous. Motion carried.**

4. **Ordinance No. O-2015-013-15 (CU-001-015)** – Conduct a public hearing and consideration and/or action for approval for a Conditional Use Permit (CUP) request with site plan approval, for Automobile and Light Truck Repair Shop and Tire Sales Store uses located on Lots 10-15 of the Percy's Addition, being 0.43 acres located south of NE 28<sup>th</sup> Street and east of Layton Avenue, locally known as 4414 NE 28<sup>th</sup> Street – **1<sup>st</sup> Reading**. Justin French, Planning and Community Development Director, presented the ordinance and a discussion was held regarding the parking space availability, landscaping improvements, building color, and the reason for the CUP. Mayor FAD Grow opened the Public Hearing at 8:26 p.m. and the following citizen came forward: (1) Gary Markhum, addressed the Council regarding the landscaping that will eliminate vehicle parking in the alley and additional landscaping projects around the facility. No other citizen came forward. Mayor FAD Grow closed the Public Hearing at 8:36 p.m. and recognized Council Member Trae Fowler, who moved, seconded by Council Member Wayne Grow, to approve Ordinance No. O-2015-013-15 (CU-001-15) – first reading. **The vote was unanimous. Motion carried.**

**The Council took a short break at 8:37 p.m. and returned to Regular Session at 8:44 p.m.**

5. **Bid No. B2015-321-004 Drainage Improvements: Northern Cross Boulevard and Old Denton Road** – Consideration and/or action to award Bid No. B2015-321-004 Drainage Improvements: Northern Cross Boulevard and Old Denton Road (Bid No. B2015-321-004) to Environmental Safety Services, Inc. with the recommendation that the City Manager be expressly authorized to execute any and all change orders within the amounts set by state and local law. Public Works Director Greg Van Nieuwenhuize presented the bid and a discussion was held regarding the flex product over cement fixtures and its versatility. Mayor FAD Grow opened the Public Hearing at 8:55 p.m. No citizen came forward. Mayor FAD closed the Public Hearing at 8:56 p.m. and a discussion was held regarding the City Manager's authority to execute change orders. Council Member Truong moved, seconded by Council Member Grow, to approve Bid No. B2015-321-004 Drainage Improvements – Northern Cross and Old Denton Road. **The vote was unanimous. Motion carried.**

6. **Resolution No. R-2015-013-10** – Consideration and/or action to approve Resolution No. R-2015-013-10 for dedicating city acreage for open space/wetland in accordance with the Texas Parks and Wildlife Department. Parks and Recreation Director Tom Henry presented the resolution and a discussion was held regarding the update on the park construction project and a veteran's memorial. Council Member Fowler moved, seconded by Council Member Nunn, to approve Resolution No. R-2015-013-10 – dedicating city acreage for open space/wetland in accordance with the Texas Parks and Wildlife Department. *The vote was unanimous. Motion carried.*

### VISITORS/CITIZENS FORUM

The following citizens came forward:

1. Mike Wolf – Inquired of the Tarrant Appraisal District property tax listing of numerous properties owned by the Wisdom Center in Haltom City.
2. Manuel Arechiga – Asked about 2 homes being reconstructed at Maryview Terrace in violation of the SF-1 housing zone.
3. Don Lemaster – Addressed the Council regarding the 2015 Haltom High School Homecoming parade and a Veteran's Memorial fund at the Wells Fargo Bank.

### BOARDS/COMMISSIONS

7. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members. Council Member Garrett submitted the resignation of Jeff Rhoades from the P & Z. *The resignation was approved unanimously.*
8. **Appointment/Reappointment to Boards and Commissions** – Consider approval regarding appointments to Boards/Commissions. Council Member Garrett appointed Jay Arsement to Place 3 of the P & Z. *The appointment was unanimously approved.* Council Member Fowler reappointed Chris Taylor to Place 4 of the P & Z. *The appointment was unanimously approved.* Mayor Averitt reappointed Rexanne Grove to the Library Board and Jeff Cotton to the ZBA. *The reappointment were unanimously approved.*

### EXCUSED ABSENCE OF COUNCIL MEMBERS

9. **Attendance Requirements** – Consideration regarding excused absences of Council Members according to Article III, Sec. 3.07 (a). Attendance Requirements of the Haltom City Charter. There were no absences.

### PROCLAMATION

"Mayor For a Day" – Alyson Grow

Mayor Averitt presented the "Mayor For A Day" proclamation to Alyson Grow and thanked her for her service in moderating the Council meeting.

### EXECUTIVE SESSION

#### **Section 551.071**

**As authorized by Chapter 551 of the Texas Government Code, the City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to seek legal advice from the City Attorney about any matters listed on the agenda, in addition to the following matters:**

Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct which may conflict with the Open Meetings Act; including discussion of any item posted on the Agenda; to seek legal advice on: open meetings, open records, contracts, expenditures and oversight of the Haltom City Economic Development Corporation, litigation, and settlement offers and/or claims for the following cases:

- Donald Anthony Hains v. City of Haltom City
- Burkett v. City of Haltom City, et al.
- Flynn v. Haltom City EDC
- Emily A. Rudicel v. City Secretary/Haltom City Police Department
- Progressive County Mutual Ins. Co. v. The City of Haltom City
- James H. Watson v. The City of Haltom City
- Settlement of USACE Contract Dispute

**Section 551.072 – Deliberations about Real Property**

Deliberation regarding the purchase, exchange, lease or value of real property owned or leased by the City and the Economic Development Corporation.

**Section 551.074 – Personnel**

Deliberation regarding the appointment, employment, evaluation, reassignment, resignation, duties, discipline or dismissal of the Municipal Court Judge.

**Section 551.087 – Deliberations about Economic Development Incentives**

Discuss or deliberate regarding commercial or financial information the City has received from business prospects the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect.

**The Council went into Executive Session at 9:35 p.m. They reconvened to the Regular Session at 11:15 p.m.**

**RECONVENE TO REGULAR SESSION**

10. Take any action deemed necessary as a result of the Executive Session.  
No action was taken.

**ADJOURNMENT**

Mayor Averitt adjourned the meeting on July 13, 2015 at 11:15 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

  
Art Camacho, City Secretary



  
David Averitt, Mayor