

MINUTES
HALTOM CITY COUNCIL MEETING
CITY HALL, 5024 BROADWAY AVENUE
October 12, 2015

A Regular Meeting was held by the City Council of the City of Haltom City, Texas, on October 12, 2015, at 7:00 p.m. at City Hall, 5024 Broadway Avenue, Haltom City, Texas, with the following members present:

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; Chuck Barnett, Assistant City Manager; Wayne Olson, City Attorney; Art Camacho, City Secretary; Jennifer Fung, Finance Director; Justin French, Planning and Community Development Director, Keith Lane, Public Safety Director; and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER

Mayor David Averitt called the Worksession to order at 6:03 p.m. Greg Van Nieuwenhuize, Public Works Director, addressed the Council regarding the Oakwood Street Reconstruction Project. A discussion was held concerning the percentage of federal funding for the CDBG project, the timeframe and project area, and the final bid award winner – McClendon Construction. Mayor Averitt addressed the Council in regard to community engagements and a discussion on various community activities and a discussion on having quality functions was held. This item will be discussed at the November Worksession. The Consent Agenda was reviewed and Mayor Pro Tem Bob Watkins requested Agenda Item # 2 – *Day Labor Ordinance* – be moved to the Regular Agenda. The Regular Agenda was reviewed and no changes were made. Mayor Averitt closed the Worksession at 6:36 p.m. and called for an Executive Session.

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, enforcement action for zoning violation, litigation, and settlement offers and/or claims for the following cases:

- Donald Anthony Hains v. City of Haltom City
- Flynn v. Haltom City EDC
- Progressive County Mutual Ins. Co. v. City of Haltom City
- James H. Watson v. City of Haltom City
- Louis Engler v. City of Haltom City, et al.
- EEOC Charge No. 450-2015-01583.

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 City Manager.

Mayor Averitt closed the Executive Session at 7:05 p.m.

REGULAR MEETING

CALL TO ORDER

Mayor Averitt called the meeting to order at 7:08 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Pro Tem Watkins introduced Stephanie Gilfeather, of St. Luke Methodist Church, who gave the Invocation and Mayor Pro Tem Watkins led the Pledge of Allegiance and the Texas Flag Pledge.

ANNOUNCEMENTS AND EVENTS

Council Member Stephanie Davenport announced the following:

LIBRARY

Family Movie Night - Monday, October 12, 6:30 p.m. - Movie: *Haunted Mansion*

Craft Saturdays - Christmas Crafts - Saturday, October 17, 10 a.m. – noon, \$5 plus supplies; Adult: 18 years & older. Call or visit website for details on crafts.

Pumpkin Decorating Contest - Deadline: October 22nd - Real, artificial, handmade - ages: 5 - adult

Breakfast at Applebee's - Saturday, October 24, 8 – 10 a.m.

Hosted by the Friends of the Haltom City Public Library. Purchase tickets at the library.

Howlin' Halloween - Thursday, October 29th at 6:30 p.m. – Not-so-scary movies, puppet show, and trick or treating.

Story Times - Thursdays, 11–11:45 a.m., for ages three & older - Fridays, 10:30 – 11:15 a.m., for ages two & younger.

Veterans Support Group - 2nd & 4th Mondays of the month, 6 – 7 p.m.

GED Classes - Tuesdays, Wednesdays & Thursdays, 5 – 8 p.m.

Special Election - Haltom City will be conducting a Special Election to submit proposed amendments to the City Charter to the voters on Tuesday, November 3rd. Voting shall be conducted on Election Day between the hours of 7 a.m. and 7 p.m. at polling places that can be found on the city website. Early Voting will begin on October 19th and will conclude on October 30th at various Tarrant County polling locations. The polling places can be found on a link to Tarrant County Elections on the City Secretary's webpage also on the city website at www.haltomcitytx.com.

COMMUNITY PROJECTS

Keep Haltom City Beautiful is hosting the Trinity Trash Bash on Saturday, October 17, 2015 from 1 pm – 4 pm. It is a litter clean-up along a waterway and will be at Little Fossil Park and Haltom Road Park. Free t-shirts, snacks, door prizes will also be available and Boy or Girl Scouts can earn a badge through this event. Online Registration is available on www.haltomcitytx.com or citizens can call Julie Jenkins, Community Projects Coordinator, to volunteer themselves, their family, or their organization.

Keep Haltom City Beautiful will also be hosting the annual Tree Sale again this year. Trees purchased from Texas Trees are \$25 for a 5 gallon tree and the selection includes the Vitex, Crepe Myrtle, Chinquapin Oak and Monterrey Oak. You may order your tree online at www.haltomcitytx.com or call Julie Jenkins, Community Projects Coordinator. The tree sale ends Tuesday, October 27th.

Texas Arbor Day - Haltom City has been named as a Tree City USA and citizens are asked to attend the Texas Arbor Day Event on Saturday, November 7, 2015 from 10 am – 12 pm at the Haltom City Northeast Center. We are honored to welcome the Fort Worth Regional Forester, Courtney Blevins, with the Texas A&M Forest Service as well as guest speaker, HCPD Community Services Officer Trey Kerr. Citizens will also be able to pick up their tree from the Annual Tree Sale and the Haltom City Garden Club will be providing refreshments.

Crud Cruiser - On Saturday, November 7, 2015 from 9 am – 11 am, the Crud Cruiser from the Environmental Collection Center will be at the Haltom City Library collecting your household hazardous waste. You can drop off items like automotive fluids, batteries, cleaners & chemicals, cooking oil, lawn/garden/pool chemicals, light bulbs and paint.

PRESENTATION – “Senior Spirit Award” – Mayor Pro Tem Watkins and Senior Citizen Director Bobbi Arthur received the Senior Spirit Award.

PROCLAMATION – “National Friends of Libraries Week” – Friends of the Haltom City Public Library. Mayor Pro Tem Watkins presented the proclamation to the Friends of the Haltom City Library.

Council Member Scott Garrett addressed the citizens and expressed his apologies, not in particular to the essence of the content, but of the delivery manner of his passionate comments made in a prior meeting.

CONSENT AGENDA

Agenda Item # 2 – Day Labor Ordinance – was moved to the Regular Agenda.

1. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meetings of September 28, 2015.
3. **Panhandle Ordinance** – Consideration and/or action regarding approval of Ordinance No. O-2015-021-03 adopting the Panhandling Ordinance – **2nd Reading.**
4. **Water/Sewer Rate** – Consideration and/or action regarding approval of Ordinance No. O-2015-023-03 approving the water and sewer rates as referenced in Appendix C – Fee Schedule and amending future fees by resolution. **2nd Reading.**
5. **Ordinance No. O-2015-022-15 (Z-008-15)** – Consideration and/or action on the application of Wanda Lyons for approval of a Zoning Change request from “C-3” Commercial District to “SF-2” Single Family Residential located on Lot 4, Block 2 of the Shady Dell Addition being 0.215 acres of land located south of E. Belknap Street and west of Owens Street, locally known as 2013 Owens Street; and action on an amendment to O-2010-011-15, amending the Future Land Use Plan within the 2010 Comprehensive Land Use Plan – **2nd Reading.**
6. **Authorized Signatories** – Consideration and/or action regarding approval of Resolution No. R-2015-022-03 designating authorized signatories for all City financial transactions.

Council Member Trae Fowler moved, seconded by Council Member Dr. An Truong, to approve the Consent Agenda consisting of Items 1, 3, 4, 5 and 6. ***The vote was unanimous. Motion carried.***

REGULAR AGENDA

2. **Day Labor Ordinance** – Consideration and/or action regarding approval of Ordinance No. O-2015-020-03 adopting the Day Labor Ordinance – ***2nd Reading.*** Mayor Pro Tem Watkins requested this agenda item be moved from the Consent Agenda to the Regular Agenda in regard as to whether a business could be “grandfathered” under this ordinance. Mayor Averitt opened the agenda item for input from businesses affected by the new ordinance. Bill Greenhill, of the Haynes and Boone law firm, introduced himself as an attorney for Pacesetters, Inc. Council Member Davenport requested to be recused from the meeting because of her occupational connection with Tarrant County College, of whom Mr. Greenhill is a TCC Board Trustee. Mr. Greenhill reviewed the past history of the business occupation of his client and the steps they have taken to reduce complaints regarding vagrancy and crime in that area. Mr. David Quadrino, General Manager of Pacesetters, Inc., spoke on the different types of day laborers that are hired, the financial impact of their service to the local area, and the effect that the ordinance would have on other temporary service companies. Attorney Rick Torlancasi, of Haynes and Boone, also spoke on the restrictions of the ordinance and he provided a map indicating the possible locations for bus stop transportation for day laborers. A discussion was held regarding the safety of citizens and businesses in the neighboring area of Pacesetters, Inc., the length of lease on their current building, a possible continuance, and a possible court injunction. Council Member Fowler requested an Executive Session regarding this item. Mayor Averitt called for an Executive Session at 8:29 p.m. Council Member Davenport was not present in the Executive Session. Mayor Averitt closed the Executive Session at 9:24 p.m. Council Member Fowler moved, seconded by Council Member Walter Grow, to approve Ordinance No. O-2015-020-03 – second reading. ***The vote was unanimous – with Council Member Davenport not voting. Motion carried.***
7. **Police Pursuit Vehicles** – Consideration and/or action authorizing the purchase of four (4) Chevrolet Tahoe police pursuit vehicles from Caldwell Country Chevrolet through their contract with the Houston-Galveston Area Council of Governments. Finance Director Jennifer Fung and Public Safety Director Keith Lane presented the agenda item that included a breakdown of the costs of the new vehicles. A discussion was held regarding the replacement vehicles and the expected date of use for the new vehicles. Council Member Garrett moved, seconded by Council Member Grow, to approve the purchase of four (4) Chevrolet Tahoe police pursuit vehicles. ***The vote was unanimous. Motion carried.***
8. **Tarrant Appraisal District Candidate Nominations** – Consideration and/or action regarding approval of Resolution No. R-2015-021-01 nominating candidates for placement on the ballot for the Tarrant Appraisal District Board of Directors election. Council Member Fowler moved, seconded by Council Member Truong, to approve Resolution No. R-2015-021-01 - nominating Mark Wood as Haltom City’s candidate for the ballot on the TAD Board of Directors election. ***The vote was unanimous. Motion carried.***

VISITORS/CITIZENS FORUM

The following citizen came forward:

- 1. Paula Lindsay – Requested a streetlight be installed at the intersection of Maryview and Cedarcrest in the Diamond Oaks area for safety purposes.

BOARDS/COMMISSIONS

- 9. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members. There was no resignations.
- 10. **Appointment/Reappointment to Boards and Commissions** – Consider approval regarding appointments to Boards/Commissions. There were no appointments or reappointments.

EXECUTIVE SESSION

The Council went into Executive Session at 9:47 p.m. and returned to Regular Session on October 13, 2015 at 1:22 a.m.

RECONVENE TO REGULAR SESSION

- 11. Take any action deemed necessary as a result of the Executive Session.

Council Member Grow moved, seconded by Council Member Jeannine Nunn, to accept the resignation of City Manager Tom Muir, with his last employment date being October 31, 2015 and also provide 120 days of severance. ***The vote was unanimous. Motion carried.***

ADJOURNMENT

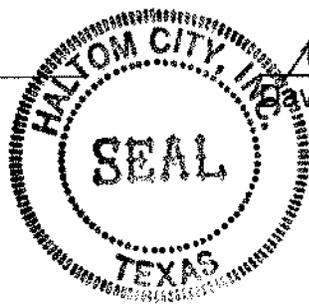
Mayor Averitt adjourned the meeting on October 13, 2015 at 1:25 a.m.

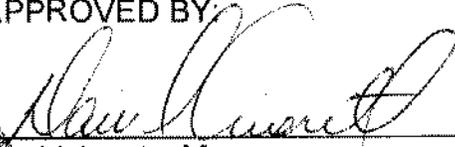
RESPECTFULLY SUBMITTED BY:

APPROVED BY:



 Art Camacho, City Secretary





 David Averitt, Mayor