

MINUTES
HALTOM CITY COUNCIL MEETING
CITY HALL, 5024 BROADWAY AVENUE
June 8, 2015

A Regular Meeting was held by the City Council of the City of Haltom City, Texas, on June 8, 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 Member 6 Stephanie Davenport

Council Place 7 Dr. An Truong

Council Place 4 Trae Fowler was absent during the Worksession, but was present for the Regular Session.

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; Susan White, Business Development Coordinator; Toni Beckett, Human Resources and Risk Management; and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER

Mayor David Averitt called the Worksession to order at 6:00 p.m. City Manager Tom Muir discussed the possibility of rescheduling the date for the monthly "Round-Table" discussion from the 3rd Thursday to either the 2nd or 4th Thursday to allow for better attendance and will also include more orientation material for the new Council members. City Attorney Wayne Olson presented information to the Council, particularly the new members, regarding the Open Meetings and Open Records requirements. There was no Executive Session. Mayor Averitt closed the Worksession at 7:05 p.m.

REGULAR MEETING

CALL TO ORDER

Mayor Averitt called the meeting to order at 7:15 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE

Council Member Walter Grow gave the Invocation and led the Pledge of Allegiance and the Texas Flag Pledge.

ANNOUNCEMENTS AND EVENTS

City Secretary Art Camacho announced the following:

Library

Family Movie Night – On Monday, June 15th, the Family Movie night will be "Teenage Ninja Mutant Turtles" and on June 22nd, the movie "Mulan" will be shown.

Special Guests – Friday, June 12th will present Zooniveristy at 2:00 p.m.; on Wednesday, June 17th, the Ringling Brothers Clowns will be performing at 10:00 a.m.; on Friday, June 19th, magician James Wand will be performing at 2:00 p.m.

Craft Saturday – This activity will be held on Saturday, June 27th from 10:00 a.m. to 12:00 noon with easy-to-make crafts.

Story Times – Held on Thursdays from 11:00 a.m. to 11:45 a.m. for 3 yrs. and older. For ages 2 and younger, it is held on Fridays from 10:30 a.m. to 11:15 a.m.

Veterans Support Group – The Veterans Support Group will be meeting on the second and fourth Monday of each month from 6:00 – 7:00 p.m.

Senior Center

Senior Center Anniversary Celebration – A luncheon commemorating the Senior Center Anniversary will be held on Wednesday, May 20th at 12:00 noon.

Jerry Mosman, Executive Director of Senior Citizens, has notified Bobbi Arthur that the City of Haltom City has been chosen to receive the Mae Cora Peterson Healthy Aging Award at the Senior Spirit Awards Luncheon on September 25, 2015 at the Cendera Center.

Parks and Recreation

The free summer lunch program will be held at the Recreation Center from Monday through Friday at 12:30 p.m. for ages 1-18 with breakfast starting at 8:00 a.m.

The Super Kids Summer Camp kicks off on June 8th at the Recreation Center and will continue through August 14 and is packed with fun – games, crafts, movies, outdoor play, field trips, and more. Cost is \$95/week with a \$25 registration fee. Camp is for ages 6-13. Limited space available each week, so register early.

Registration is now being held for Volleyball Camp. Participants will learn the basics of volleyball, including serving, bumping, setting, exercising and more. Additional training and skills will be offered as needed for each individual. Two camps are available: June 15 – 18 for ages 7-12 (deadline is June 10) and June 22 – 25 for ages 13 & up. Cost is \$40 per person.

For more information, contact the Recreation Center at 817-831-6464 or email cpruitt@haltomcitytx.com.

REPORTS

1. **Monthly Financial Report** – Consideration and/or action regarding approval of the preliminary monthly Financial Report for the month of April 2015. Finance Director Jennifer Fung presented the April financial report and a discussion was held regarding the maintaining of revenues in relation to the expenditures and the citizen's water consumption and future price increase. Council Member Trae Fowler moved, seconded by Council Member Dr. An Truong, to approve the monthly financial report for the month of April 2015. ***The vote was unanimous. Motion carried.***

CONSENT AGENDA

2. **Minutes** – Consideration and/or action regarding approval of the Minutes of the special meeting of May 18, 2015, Worksession of May 21, 2015, and the special meeting of May 26, 2015.
3. **Ad Valorem Taxing** – Consideration and/or action regarding approval of a contract with the Tarrant County Tax Office to provide ad valorem tax assessing, billing, collecting and reporting for the 2015 Tax Year.
4. **Property Enhancement Incentives Grant** – Consideration and/or action for approval of a Property Enhancement Incentives Grant to Hi Line Tool.

A change was made to the Minutes of May 18, 2015. Council Member Trae Fowler acknowledged and expressed gratitude on behalf of the Council to Hi Line Tool business owner Jeff Gunter for his new business venture in Haltom City. Council Member Fowler then moved, seconded by Mayor Pro Tem Watkins, to approve the Consent Agenda consisting of Agenda Items 2, 3, and 4, with adjustments made by Mayor Pro Tem Watkins to the Minutes of May 18, 2015. ***The vote was unanimous. Motion carried.***

REGULAR AGENDA

5. **Mayor Pro Tem** – Consideration and/or action regarding election of the Mayor Pro Tem. Council Member Fowler moved to elect Bob Watkins in continuance of his position of Mayor Pro Tem and Mr. Watkins agreed to serve. No other Council member was nominated. ***The vote was unanimous. Motion carried.***
6. **Ordinance No. O-2015-007-15 - Fence Ordinance Amendment** – Conduct a public hearing and consider action on an amendment to Ordinance No. O-2002-032-15, as amended, the Zoning Ordinance of the City of Haltom City, Texas, by amending regulations to provide more specific regulations regarding fences, walls, and screening standards. – ***2nd Reading.*** City Manager Tom Muir explained to the audience that the second reading of the ordinance was delayed to allow for Diamond Oaks residents to be properly notified and also for the new Council members to be fully informed on the agenda item. Planning and Community Development Director Justin French presented the ordinance and a discussion was held regarding the replacing of similar fence material and the fence length allowed, the issuing of new permits, and the ordinance effective date. The Council determined that it would pass the second reading, but still work on amending the ordinance in future workshops. Mayor Averitt opened the Public Hearing at 7:58 p.m. and the following citizens came forward: (1) Paula Lindsey – Stated her property line fence was replaced without any notice from the neighboring property owner. (2) Lynn Arnold – Commented on the fence destruction/construction debris in her neighborhood. (3) Russell Hernandez – Inquired as to whether fencing in two adjoining houses with one singular fence would change the SF-1 status. (4) Maria Cummings – Stated she notified the Code Enforcement department in regard to non-permitted fence construction. (5) Carolyn Esposito – Inquired if fence restrictions would be conflicting and limit her in being able to have a pet animal. (6) Mike Wolf – Stated his property line fence was destroyed and replaced with a cement wall without notification and that situations like this would cause property values to decrease. Mayor Averitt closed the Public Hearing at 8:50 p.m. and a discussion was held regarding amending the ordinance to include neighboring property owner's approval prior to new fence construction, Code Enforcement involvement during destruction, and appeal methods to the Zoning Board of Adjustments. Council Member Fowler moved, seconded by Council Member Stephanie Davenport, to approve Ordinance No. O-2015-15 – Fence Ordinance Amendment – second reading. ***The vote was unanimous. Motion carried.***
- Mayor Averitt called for a short break at 8:55 p.m. and the Council reconvened at 9:10 p.m.
7. **Short Form Plat (P-015-14)** – Consider action on the application of Robert Blanco, on behalf of R.C.B. Real Estate LLC, for approval of a Short Form Plat creating Lot 1, Block 1 of the RCB Addition from Tract 18 of the John W. Elliston Survey, Abstract 472, located in the "M-2" Heavy Industrial District, containing approximately 1.434 acres, and locally known as 2828 N. Beach Street. Planning and Community Development Director Justin French presented the plat. Council Member Truong moved, seconded by Council Member Davenport, to approve Short Form Plat (P-015-14). ***The vote was unanimous. Motion carried.***

8. **Short Form Plat (P-001-15)** – Consider action on the application of Christian Schnitger, on behalf of Birdville ISD, for approval of a Short Form Plat creating Lot 1, Block 1 of the Academy at West Birdville Addition from Tracts 11, 12A2, and 12B of the J. W. Elliston Survey, A-472, located in the "SF-2" Single Family Residential District and the "CF" Community Facilities District, containing approximately 9.794 acres, and locally known as 3001 Layton Avenue and 3200 Eastridge Drive. Planning and Community Development Director Justin French presented the plat. Council Member Walter Grow moved, seconded by Council Member Truong, to approve Short Form Plat (P-001-15). **The vote was unanimous. Motion carried.**
9. **Replat (P-018-14)** – Consider action on the application of Ernest Hedgcoth, on behalf of Hal D. Turney, for approval of a Replat creating Lot 2R1, Block 1 of the Airport Industrial Addition from a portion of Lot 2R, Block 1 of the Airport Industrial Addition, located in the "C-4" Commercial District, containing approximately 0.057 acres, and locally known as 5411 Airport Freeway. Planning and Community Development Director Justin French presented the replat and planning consultant Ernest Hedgcoth was present to provide any extra information. Council Member Fowler moved, seconded by Council Member Davenport, to approve Replat (P-018-14). **The vote was unanimous. Motion carried.**
10. **Ordinance No. O-2015-010-15 (Z-008-14)** – Conduct a public hearing and consider action on the application of Ernest Hedgcoth, on behalf of Hal D. Turney, for approval of a Zoning Change request from "C-4" Commercial to "C-3" Commercial District located on a portion of Lot 2R, being approximately 0.057 acres located north of Airport Freeway (SH 121) and west of Hickory Drive, locally known as 5411 Airport Freeway – **1st Reading.** Planning and Community Development Director Justin French presented the ordinance and Mayor Averitt opened the Public Hearing at 9:25 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 9:26 p.m. Council Member Scott Garrett moved, seconded by Council Member Jeannine Nunn, to approve Ordinance No. O-2015-010-15 (Z-008-14) – first reading. **The vote was unanimous. Motion carried.**
11. **Atmos Energy RRM Settlement** – Consideration and/or action regarding Resolution No. R-2015-012-01 approving the negotiated settlement with Atmos Energy, Mid-Tex Division and their 2014 and 2015 Rate Review Mechanism filing. City Manager Tom Muir recognized Marilyn Ackmann, of Atmos Energy, and informed the Council and audience of the negotiated settlement and the rate increase that will be forthcoming to both residential and commercial accounts. Council Member Grow moved, seconded by Council Member Fowler, to approve Resolution No. R-2015-012-01 – Atmos Energy RRM Settlement. **The vote was unanimous. Motion carried.**

VISITORS/CITIZENS FORUM

The following citizen came forward:

1. Joan Koontz, 3517 Swan – Requested immediate repair of her street.

BOARDS/COMMISSIONS

12. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members. Mayor Averitt submitted the resignation of Marian Hilliard from the EDC. **The resignation was approved unanimously.**

13. **Appointment/Reappointment to Boards and Commissions** – Consider approval regarding appointments to Boards/Commissions. Council Member Truong reappointed Patrick Doporto to the Library Board. ***The appointment was unanimously approved.*** Council Member Grow appointed Mike Logan to the ZBA. ***The appointment was unanimously approved.*** Council Member Grow also appointed Phil Harris to the Fire Services Board. ***The appointment was unanimously approved.*** Mayor Pro Tem Watkins appointed Dewey Markum to the EDC. ***The appointment was unanimously approved.*** Mayor Averitt appointed Harold Fowler to the Parks and Recreation Board. ***The appointment was unanimously approved.*** Mayor Averitt also reappointed Donna Peterson to the Beautification Board. ***The appointment was unanimously approved.***

Mayor Averitt made the following Council Liaison appointments:

Walter Grow – Beautification Board

Jeannine Nunn – Library Board

Bob Watkins – ZBA and P & Z

Bob Watkins and Josh Howard – Reappointed to the Animal Advisory Committee.

14. **Board/Commission Reports** – Receive reports from Council liaisons. There were no reports.

EXCUSED ABSENCE OF COUNCIL MEMBERS

15. **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.

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

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 551.087 – 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 9:40 p.m. They reconvened to the Regular Session at 10:44 p.m.

RECONVENE TO REGULAR SESSION

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

ADJOURNMENT

Mayor Averitt adjourned the meeting on June 8, 2015 at 10:45 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:



Art Camacho, City Secretary

David Averitt, Mayor

