

**MINUTES
HALTOM CITY COUNCIL MEETING
CITY HALL, 5024 BROADWAY AVENUE
September 28, 2015**

A Regular Meeting was held by the City Council of the City of Haltom City, Texas, on September 28, 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 3 Scott Garrett
Council Place 4 Trae Fowler	Council Member 6 Stephanie Davenport
Council Place 7 Dr. An Truong	
Council Place 2 Walter Grow was absent.	

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, Police Chief; Toni Beckett, Human Resources and Risk Management Director, and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER

Mayor David Averitt called the Worksession to order at 6:05 p.m. City Manager Tom Muir introduced Anthony Mills, Texas Municipal Retirement System (TMRS) Senior Regional Manager, who presented a review of the retirement system for Haltom City. A discussion was held regarding the different plan benefits, different city-match ratio scenarios, and the affirmation of all employees receiving the same match, including new employees. Mayor Averitt opened the discussion to the public and the following individuals came forward: (1) Daniel Pearson, Haltom City Police Association – Stated he had received calls regarding the item and addressed the Council in regard to not having the city employee's salaries and their benefits become the object of budgetary cutbacks; (2) Rick Van Houten, Fort Worth Police Association – Commented on the current problems with the Fort Worth Police Department regarding retirement benefits; (3) Bobby Hardin, Tarrant County – Presented a list of cities using the 2 to 1 city match in the TMRS system and addressed the Council on the value of employees. A discussion was held regarding the maintaining of salaries, budget issues, and future discussions on this subject. Mayor Averitt closed the Worksession at 8:05 p.m.

REGULAR MEETING

CALL TO ORDER

Mayor Averitt called the meeting to order at 8:18 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE

Council Member Trae Fowler gave the Invocation and led the Pledge of Allegiance and the Texas Flag Pledge.

ANNOUNCEMENTS AND EVENTS

Council Member Stephanie Davenport announced the following:

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

Craft Saturdays - Christmas Crafts - Saturday, October 17 - 10 a.m. - Noon

\$5.00 plus supplies; Adult: 18 years & older. Call or visit website for details on crafts.

Pumpkin Decorating Contest – Oct. 22nd - Real, artificial, handmade - ages: 5 – adult.

Breakfast at Applebee's - Saturday, October 24, 8 – 10:00 a.m. Hosted by the Friends of the Haltom City Public Library. Purchase tickets at Library.

Story Times - Thursdays, 11 – 11:45 a.m., for ages 3 & older; Fridays, 10:30 – 11:15 a.m., for ages 2 & younger

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

GED Classes - Registration started September 8th and is continued from September 15th through September 17th from 5 – 8 p.m. Classes begin September 22nd and are on Tuesdays, Wednesdays, and Thursdays, 5 – 8 p.m. Registration is required.

Special Election - In addition to the constitutional amendments proposed by the Texas Legislature, Haltom City will also 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 7:00 a.m. and 7:00 p.m. 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 on the city website at www.haltomcitytx.com.

Fire Rescue Open House - Haltom City Fire Rescue Annual Open House is set for Saturday, October 10th, 2015, from 10:00 a.m. – 1:00 p.m. at Central Fire Station located at 5525 Broadway Ave. We will be serving free corn dogs and bottled water. Carter Blood Care will be accepting blood donations. The fire department will be demonstrating vehicle extrication and automatic fire sprinkler system operation. Kids will be able to ride the little ladder truck, spray water at a pretend house fire, practice fire safety drills in our fire safety house, and many other fun things. Numerous community groups will have booths set up. Don't forget October is Fire Safety month - Hear the beep where you sleep.

Texas Night Out – Will be celebrated on Tuesday, October 6th and citizens can contact Haltom City Police Officer Trey Kerr to announce their location and times.

PRESENTATION – City Employee Longtime Service Award

Haltom City Police Officer Captain Rocky Roper received a 30-year Service Award.

Mayor Averitt returned to the Worksession Agenda for discussion and then to Regular Agenda Item #6 as the first item for consideration and/or action.

- Discuss Spring Dumpster Day – Chuck Barnett, Assistant City Manager, presented a report that included a lower participation for the event, along with problems in regard to volunteer's safety and damage to citizen's vehicles. He also stated that Progressive Waste has allowed two more extra days to the current two-day usage for citizens to use the waste station and an immediate notice will be published.
- Discuss possible nominations for the Tarrant Appraisal District Board of Directors – City Manager Tom Muir presented the name of Mark S. Wood for possible nomination from the Council.
- Discuss vehicle allowances – Council Member Scott Garrett commented on the amount of vehicle allowance funding and a discussion was held regarding the exemption of public safety officers, the difference in using a city vehicle in comparison to a vehicle allowance, and the vehicle allowance used as a salary component. This item will be addressed again in future meetings.

6. **Ordinance No. O-2015-022-15 (Z-008-15)** – Conduct a public hearing and consider 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. **1st Reading.** Planning and Community Development Director Justin French presented the ordinance and Mayor Averitt opened the Public Hearing at 9:01 p.m. Ms. Shirley Milton, Century 21 realtor, spoke on behalf of the property owners and requested the Council approve the zoning change. No other citizen came forward. Mayor Averitt closed the Public Hearing at 9:03 p.m. Council Member An Truong moved, seconded by Council Member Fowler, to approve Ordinance No. O-2015-022-15 (Z-008-15) – approving the zoning 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, known as 2013 Owens Street – first reading. **The vote was unanimous. Motion carried.**

REPORTS

1. **Monthly Financial Report for August 2015** – Consideration and/or action regarding approval of the preliminary monthly Financial Report for the month ending August 31, 2015. Finance Director Jennifer Fung presented the report and a discussion was held regarding the projected fiscal-ending revenues and expenses, curb-gutter fund, license permit fees, and data revisions. No action was taken.

REGULAR AGENDA

2. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meetings of August 31, 2015, September 5, 2015, September 8, 2015 and September 14, 2015. Council Member Fowler moved, seconded by Council Member Davenport, to approve the submitted minutes with changes. **The vote was unanimous. Motion carried.**
3. **Proposed FY2016 Budget** – Consideration and/or action regarding approval of Ordinance No. O-2015-018-03 adopting the proposed FY2016 budget. **2nd Reading.** Finance Director Jennifer Fung presented the ordinance and a discussion was held regarding the debt refinancing and a possible salary adjustment proposal. Council Member Truong moved, seconded by Council Member Jeannine Nunn, to approve Ordinance No. O-2015-018-03 – FY2016 Budget – 2nd Reading. **The vote was unanimous. Motion carried.**
4. **FY 2016 Tax Rate** – Consideration and/or action regarding approval of Ordinance No. O-2015-019-03 adopting the FY2016 Proposed Tax Rate. **2ND Reading.** Finance Director Jennifer Fung presented the ordinance which included the detailed rates for both the maintenance and operation (M&O) and the interest and sinking (I&S). Council Member Garrett moved, seconded by Council Member Fowler, to approve Ordinance No. O-2015-019-03, with a tax rate of \$0.69999 per \$100 – with an M&O rate of \$0.462316 and an I&S rate of \$0.237674 per \$100. **The vote was unanimous. Motion carried.**
5. **Water/Sewer Rates** – Conduct a public hearing and 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. **1st Reading.** Finance Director Jennifer Fung presented the ordinance and a discussion was held regarding the rates and increases. Mayor Averitt opened the Public Hearing at 9:49 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 9:50 p.m. Mayor Pro Tem Bob Watkins moved, seconded by Council Member Nunn, to approve Ordinance No. O-2015-023-03 – first reading. **The vote was unanimous. Motion carried.**

7. **Day Labor Ordinance** – Conduct a public hearing and consider action on approval of Ordinance No. O-2015-020-15, to amend Ordinance No. O-2002-032-15, as amended, of the Zoning Ordinance of the City of Haltom City, Texas, by amending regulations to provide regulations regarding day laborer halls. **1st Reading.** Planning and Community Development Director Justin French presented the ordinance and a discussion was held regarding the changes made in the ordinance as a result of the previous Worksession. Mayor Averitt opened the Public Hearing at 9:57 p.m. Citizen Ryan Murphy stated he approved of the ordinance in that both employers and workers will be able to benefit from this arrangement and also requested the workers receive transportation assistance. No other citizen came forward. Council Member Fowler moved, seconded by Council Member Davenport, to approve Ordinance No. 2015-020-15 to amend Ordinance No. 2002-032-15 – first reading. **The vote was unanimous. Motion carried.**
8. **Panhandle Ordinance** – Conduct a public hearing and consideration and/or action regarding approval of Ordinance No. O-2015-021-04 adopting the Panhandling Ordinance – **1st Reading.** Police Chief Keith Lane presented the ordinance and a discussion was held regarding the criteria, locations, restrictions and research source. Mayor Averitt opened the Public Hearing at 10:11 p.m. and the following citizens came forward: (1) Justin Oliver – Stated he was against the ordinance claiming it was too restrictive. He also questioned the information source and felt the city already had laws to enforce the panhandling; (2) Ryan Murphy – Stated that panhandlers are stereotyped and more charitable efforts should be made. No other citizen came forward. Mayor Averitt closed the Public Hearing at 10:22. Council Member Fowler moved, seconded by Council Member Garrett, to approve Ordinance No. O-2015-021-04 – first reading. **The vote was unanimous. Motion carried.**
9. **New Street Name** – Consideration and/or action regarding Resolution No. R-2015-020-11 naming a new road located south of Belknap St., proceeding south from Denton Highway and intersecting with Highland Avenue. City Manager Tom Muir presented the resolution. Council Member Truong moved, seconded by Council Member Davenport, to approve Resolution No. R-2015-020-11 - naming a new road located south of Belknap St., proceeding south from Denton Highway and intersecting with Highland Avenue to “Highland Cut Off.” **The vote was unanimous. Motion carried.**
10. **Municipal Court Judge Subcommittee** – Consideration and/or action regarding appointment of a Council subcommittee to review applications for the Municipal Court Judge. City Manager Tom Muir presented the agenda item and the following individuals were nominated: Mayor Pro Tem Watkins nominated Council Member Davenport; Council Member Garrett nominated Council Member Fowler; Council Member Davenport nominated Council Member Garrett. No other nominations were made. **The vote was unanimous and the nominations approved.**

VISITORS/CITIZENS FORUM

No citizen came forward.

BOARDS/COMMISSIONS

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

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
- 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.

The Council took a short break at 10:40 p.m. and went into Executive Session at 10:45 p.m.

RECONVENE TO REGULAR SESSION

13. Take any action deemed necessary as a result of the Executive Session.
The Council returned to Regular Session at 11:27 p.m. and took no action.

ADJOURNMENT

Mayor Averitt adjourned the meeting on September 28, 2015 at 11:28 p.m.

RESPECTFULLY SUBMITTED BY:



Art Camacho, City Secretary

APPROVED BY:



David Averitt, Mayor

