

**MINUTES
HALTOM CITY COUNCIL MEETING
CITY HALL, 5024 BROADWAY AVENUE
January 11, 2016**

A Regular Meeting was held by the City Council of the City of Haltom City, Texas, on January 11, 2016, 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: Keith Lane, Interim City Manager; Chuck Barnett, Assistant City Manager; Wayne Olson, City Attorney; Art Camacho, City Secretary; Justin French, Planning and Community Development Director; William Wiegand, Public Works Engineer, and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER

Mayor David Averitt called the Worksession to order at 6:00 p.m. Greg Van Nieuwenhuize, Public Works Director, presented several options regarding a new Community Development Block Grant (CDBG) Project for the 42nd year, which included the Minnie Street Water Main and the Oak Knoll Water Main. Information for a final decision will be provided at the next meeting. Assistant City Manager Chuck Barnett presented a proposed development project at 4600 Fossil Ridge Circle and 5400 Fossil Creek Boulevard that is requesting passing a resolution to obtain housing credits. A discussion was held regarding the large availability of apartments and the Council was not in favor of the resolution. City Secretary Art Camacho informed the Council of the municipal sales tax changes proposed for a Special Election on May 7, 2016 that will lower the Economic Development Corporation (EDC) sales percentage from ½ cent to ⅜ cent, with the other ⅛ going into the Street Maintenance Tax, which is currently at ¼ cent. In addition, the EDC will be eliminated and an Economic Development Department will be instilled in the city departments with an Economic Director. The Regular Agenda was reviewed and City Secretary Art Camacho advised the Council of several updates on the General Election Resolution. A discussion was held regarding Agenda Item # 3 and # 4 - the zoning change and the Conditional Use Permit (CUP) for the Bering Eden Properties, LLC at 1317 Eden. More information will be forthcoming during the Regular Meeting when the business manager will be present. The Worksession ended at 6:51 p.m.

REGULAR MEETING

CALL TO ORDER

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

INVOCATION/PLEDGE OF ALLEGIANCE

Council Member Scott Garrett 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, January 11th, 6:30 p.m. - Movie: *The Princess & the Frog*

Craft Saturday - Saturday, January 16th, 10 a.m. – noon, and will feature craft making for adults. The craft will be a Valentine's Day wreath, and the cost is \$5.00 plus supplies, with the supplies list featured on the website

Computer Classes for Adults - Computer Basics, Internet Basics, Microsoft Word-citizens may choose one or all. Classes begin in February and you may call or visit website for complete schedule. Registration is required.

Tax Help Preparation – The AARP will assist people in filing income tax forms. It will be held on Thursdays, February 4 – April 14, 12 – 4:00 p.m. Reservations are required.

Super Science Saturdays - Saturday, February 6th, 2016, 9:00 - 10:30 a.m. This is open for ages 6 – 12, and is free with no registration required.

Night of Romance - Friday, February 12, 6:30 – 8:30 p.m. It will be an evening of meet & greet with local Romance authors.

Take Home Valentine Day Craft for Children - Saturday, February 13th.

Story Times

Thursdays, 11 – 11:45 a.m., for ages 3 & older, with the first Thursday of each month having a puppet show.

Fridays, 10:30 – 11:15 a.m., for ages 2 & younger.

For more information, please contact the Library – 817.222.7787, www.haltomcitytx.com

Parks and Recreation

The new gym floor is complete at the Recreation Center – just in time for basketball season. Thanks again to the Council for seeing the need and making it possible.

Haltom City Stampede

Be a part of history! Join us for the 30th Annual Haltom Stampede - one of Tarrant County's longest running races - on Saturday, February 13th. The fun run will begin at 8:30 a.m and the 5K (timed or untimed) will begin at 9:00 a.m. Both races start and finish in the Haltom Recreation Center parking lot. Awards and other fun activities will be held inside the Recreation Center following the races. Proceeds from the Stampede benefit the Haltom City/Birdville ISD Back to School Health Fair. The Health Fair initiative provides backpacks and school supplies to Haltom City students. We hope you can join us. We are looking for sponsors and runners. Create a team in your business - get a healthy, fun start to your new year with the Haltom Stampede. For information, please contact Christi Pruitt at the Rec Center.

Community Projects

Art in the City's Spring Gallery Night is Saturday, March 19th and looking for artists to showcase their work. Please contact Julie Orebaugh for additional information. The application deadline to be included in the official Gallery Night program is January 20th and final application deadline is February 19, 2016.

The Car Show for Kids is Saturday, April 2nd and we are looking for more volunteers to serve on the committee. Meetings are held at 2:00 p.m. the 2nd Thursday of the month, at the Rec Center. Please contact Julie Orebaugh, if you are interested.

REGULAR AGENDA

1. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of December 10, 2015, and December 14, 2015. Council Member Walter Grow moved, seconded by Mayor Pro Tem Bob Watkins, to approve the Minutes

of the meetings of December 10, 2015 and December 14, 2015. ***The vote was unanimous. Motion carried.***

2. **General and Joint Election** – Consideration and/or action regarding approval of Resolution No. R-2016-001-01 calling for a General Election and authorizing a Joint Election with Tarrant County on May 7, 2016. City Secretary Art Camacho presented the resolution and Council Member Scott Garrett moved, seconded by Council Member Trae Fowler, to approve Resolution No. R-2016-001-01 calling for a General Election and authorizing a Joint Election with Tarrant County on May 7, 2016. ***The vote was unanimous. Motion carried.***

Because of the absence of both property owners on the following agenda items, Mayor Averitt moved up the Visitors/Citizens Forum.

VISITORS/CITIZENS FORUM

Citizen Jack Lewis commented on the street maintenance and sidewalk repairs, and also asked for the Council to consider formulating and passing ordinances requiring United States citizenship for both home owners and renters.

Mayor Averitt advanced Agenda Item # 5 - Ordinance No. O-2015-026-15 (CU-005-15) – ahead because of the absence of the property manager on Agenda Items # 3 and # 4.

5. **Ordinance No. O-2015-026-15 (CU-005-15)** - Conduct a public hearing and consider action on the application of Diana Velasco for a Conditional Use Permit request with site plan approval, for office warehouse, research laboratory, swimming pool sales and service store, wholesale distributor, showroom warehouse, and contractor's office with shop and garage uses located on Lot 1B, Block 3 of the Golden Gardens Addition, being 0.492 acres located south of Highland Avenue and east of Oakwood Terrace, locally known as 5612 Highland Avenue – ***First reading.*** Planning and Community Development Director Justin French presented the ordinance and property manager Diana Velasco was present to answer questions. Mayor Averitt opened the Public Hearing at 7:29 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 7:30 p.m. A quick discussion was held regarding the possible outside storage of equipment, work materials, or repaired items. Ms. Velasco assured the Council that no outside work or storage would be done. Council Member Trae Fowler moved, seconded by Council Member Jeannine Nunn, to approve Ordinance No. O-2015-026-15 (CU-005-15), with the stipulation of no outside storage, maintenance, or display being done on the property – first reading. ***The vote was unanimous. Motion carried.***
3. **Ordinance No. O-2015-024-15 (Z-011-15)** - Conduct a public hearing and consider action on the application of Travis Hanzelka on behalf of Bering Eden Properties, LLC for a Zoning Change request from "M-1" Industrial District to "M-2" Heavy Industrial District located on Lot 15, Block 2 of the Randol Addition and Tracts 8A2 and 8A2A of the John Akers Survey, Abstract 24, being approximately 3.543 acres located north of Elliot Reeder Road and west of Eden Drive, locally known as 1317 Eden Drive – ***First reading.*** Planning and Community Development Director Justin French presented the ordinance and property manager Travis Hanzelka was present to answer questions. Mayor Averitt opened

the Public Hearing at 7:35 p.m. and a discussion was held regarding the failure of a certificate of occupancy being acquired. Mr. Hanzelka stated his business partner was supposed to take care of this and they have since met all the requirements. In addition, the safe storage of the facility's chemicals, the number of current and potential employees, and the company's business plan was discussed. Mayor Averitt closed the Public Hearing at 7:53 p.m. Council Member Fowler moved, seconded by Council Member Davenport, to approve Ordinance No. O-2015-024-15 (Z-011-15) – first reading. ***The vote was unanimous. Motion carried.***

4. **Ordinance No. O-2015-025-15 (CU-007-15)** - Conduct a public hearing and consider action on the application of Travis Hanzelka on behalf of Bering Eden Properties, LLC for a Conditional Use Permit request with site plan approval, for metal finishing facility uses located on Lot 15, Block 2 of the Randol Addition and Tracts 8A2 and 8A2A of the John Akers Survey, Abstract 24, being approximately 3.543 acres located north of Elliot Reeder Road and west of Eden Drive, locally known as 1317 Eden Drive – ***First reading.*** Planning and Community Development Director Justin French presented the ordinance and a brief discussion was held regarding the maintaining of the current type of labor. Mayor Averitt opened the Public Hearing at 7:55 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 7:56 p.m. Council Member Fowler moved, seconded by Council Member Grow, to approve Ordinance No. O-2015-025-15 (CU-007-15), with the stipulation that the CUP not be passed to another tenant – first reading. ***The vote was unanimous. Motion carried.***

BOARDS/COMMISSIONS

6. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members. Mayor Averitt presented the resignation of Donna Peterson from the Beautification Board. ***The Council approved the resignation unanimously.*** Mayor Averitt presented the resignation of Bob Presley from the Beautification Board. ***The Council approved the resignation unanimously.***
7. **Appointment/Reappointment to Boards and Commissions** – Consider approval regarding appointments to Boards/Commissions. (*This action was done after the Executive Session ended at 11:05 p.m.*) Mayor Averitt appointed Mayor Pro Tem Bob Watkins to the EDC Board. ***The Council approved the appointment unanimously.***

Mayor Averitt called for an Executive Session at 8:05 p.m. for the following:

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, 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
- City of San Antonio, Texas, on behalf of itself and all other similarly situated Texas cities v. Hotels.com, L.P., et al., Civil No. SA-06-CA-381-OG, a Class Action

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, including the purchase of 3005 Markum Drive and adjoining vacant lots.

Section 551.074 - Personnel

Deliberation regarding the appointment, employment, evaluation, reassignment, or duties of the Municipal Court Judge, Municipal Court Administrator, Office Secretary and Interim City Manager.

RECONVENE TO REGULAR SESSION

8. Take any action deemed necessary as a result of the Executive Session. The Council reconvened to Regular Session at 11:05 p.m. No action was taken. (Please see Minute Item # 7 regarding the appointment of Mayor Pro Tem Bob Watkins to the EDC.)

ADJOURNMENT

Mayor Averitt adjourned the meeting on January 11, 2016 at 11:08 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

Art Camacho, City Secretary

David Averitt, Mayor