

MINUTES
HALTOM CITY COUNCIL MEETING
CITY HALL, 5024 BROADWAY AVENUE
November 14, 2016

A Regular Meeting by the City Council of the City of Haltom City, Texas, was held on November 14, 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 2 Walter Grow	Council Place 1 Jeannine Nunn
Council Place 3 Scott Garrett	Council Place 4 Trae Fowler
Council Place 6 Stephanie Davenport and Council Place 7 Dr. An Truong were absent.	

Staff Present: Keith Lane, City Manager; Rex Phelps, Assistant City Manager, Cara White, City Attorney; Art Camacho, City Secretary; Justin French, Planning and Community Director; Jennifer Fung, Finance Director, Police Chief Cody Philips, Janet Carver, Purchasing Agent, and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER

Mayor Averitt called the Worksession to order at 6:08 p.m. A discussion was held regarding electric fences and possibly amending the current ordinance. Michael Pate, Director of Electric Dog, LLC and Justin French, Planning and Community Development Director, provided information that included a description of the typical security unit, monthly costs, and method of operation. The Council may consider an amendment to the current ordinance in the future. The Consent and Regular Agenda was open for discussion, but no changes were made. The Worksession ended at 6:38 p.m. Mayor Averitt called for an Executive Session at 6:38 p.m.

EXECUTIVE SESSION

Chapter 551 of the Texas Government Code

As authorized by Section 551.071, 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, project schedule/construction contract with Tiseo Paving, dissolution/restructuring of the Haltom City Economic Development Corporation, and pending litigation and settlement offers for the following cases:

- Flynn v. Haltom City EDC
- Progressive County Mutual Ins. Co. v. City of Haltom City
- James H. Watson v. 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.

Section 551.074 - Personnel

Deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:

- City Secretary Salary Reduction Agreement

Mayor Averitt closed the Executive Session at 6:58 p.m.

REGULAR MEETING

CALL TO ORDER

Mayor Averitt called the meeting to order at 7:08 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/EVENTS

Assistant City Manager Rex Phelps read the following announcements:

Public Library

Story Time, GED Classes, Super Science Saturdays, Bi-lingual Story Time, Family Movie Night and Coloring and Cookies for Grown Ups activities and their dates and times are found on the Library's website.

Thanksgiving Take Home Craft - Saturday, November 19th - Drop by the Library and pick up a free craft to complete at home. Craft is appropriate for ages 4 – 9.

Friends of the HC Public Library are selling cookbooks from November 14th – 19th from 11 a.m. to 5 p.m. in the Library lobby.

Reference USA is the Library's newest online acquisition and provides a source for business and consumer research and information, which can be accessed either at home or remotely with your HC Public Library card.

Community Projects

Congratulations to Pet World at 2700 Carson Street for winning the Fourth Quarter Business of the Quarter. Join Keep Haltom City Beautiful for the Proclamation on Thursday, November 17th at 4 p.m.

The **Christmas on Broadway** holiday special event is Saturday, December 3rd from 3 p.m. to 6 p.m. This free, family friendly event features carriage rides, bounce houses, a petting zoo, Christmas crafts and games, and much more. Santa and Mrs. Claus will be there along with our local elementary school choirs and special performances from Haltom High School students, NEED will be collecting non-perishable foods, "Giving Christmas" will be collecting new, unwrapped toys and wrapping paper, and BISD Clothes Connection will be collecting "gently used" winter coats and clothes to give back to the Haltom City community in need.

The **Neighbourhood Decorating** contest is December 12th through 15th. Be sure to have your homes decorated for the holidays. Eighteen winners across the entire city will be chosen. Thank you to Keep Haltom City Beautiful for keeping this holiday tradition going.

Parks and Recreation

The early registration deadline for **Youth Basketball** is November 23rd, but kids can still register from November 28th until December 2nd in person. Late registration is \$80 per player for boys and girls ages 7-12 as of September 1st.

Early registration for Lil' Ballers, ages 4-6, ends December 2nd. The cost is \$45 per player. Late registration is available December 5th – 10th and the cost is \$65 per player. All practices and games are held at the Haltom Recreation Center. Coaches are needed.

Council Member Jeannine Nunn thanked the Council, Staff, and citizens who attended the Veterans Memorial Garden Site Dedication on Veteran's Day, November 11th.

PROCLAMATIONS – “Haltom City Animal Hospital” - Mayor Pro Tem Bob Watkins presented Dr. William Anderson with a Certificate of Recognition plaque for the Haltom City Animal Hospital, in which Dr. Anderson thanked both the audience and Council.

CONSENT AGENDA

1. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of October 24, 2016.
2. **City Vehicles** – Consideration and/or action regarding approval to purchase 12 vehicles from Caldwell County Chevrolet, as provided in the 2017 Budget:
 - A. Police Vehicles (4) – TASB Buyboard contract #430-13
 - B. Fire Department (1) – TASB Buyboard contract #430-13
 - C. Code Enforcement (2) – H-GAC contract #VE11-15
 - D. Public Works (5) – H-GAC contract #VE11-15
3. **Police Ammunition** – Consideration and/or action regarding approval of the purchasing of police ammunition from Precision Delta Corp., as provided in the 2017 Budget.
4. **Police Motorcycles** – Consideration and/or action regarding approval of the purchasing of two (2) police motorcycles from Stampede Harley Davidson, as provided in the 2017 Budget.
5. **Traffic Control, Enforcement and Signal Preemption** – Consideration and/or action regarding approval of the purchasing of the Opticon GPS System, as provided in the 2017 Budget.
6. **Bid No. B2017-311-001** - Consideration and/or action to approve the purchase of miscellaneous concrete from Reliable Paving, as provided in the 2017 Budget.

A question regarding the current balance and projected revenue of the Red Light Camera fund was asked. Council Member Fowler moved, seconded by Council Member Grow, to approve the Consent Agenda as presented. ***The vote was unanimous. Motion carried.***

REGULAR AGENDA

7. **Ordinance No. O-2016-031-01** – Conduct a public hearing and consideration and/or action to approve Ordinance No. O-2016-031-01 – Oncor Franchise Agreement – ***First Reading.*** Finance Director Jennifer Fung presented the ordinance and a discussion was held regarding the city’s reservation stance toward the ordinance agreement. Mayor Averitt opened the Public Hearing at 7:24 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 7:25 p.m. Council Member Garrett moved, seconded by Council Member Grow, to approve Ordinance No. O-2016-031-01 – granting Oncor Electric Delivery Company LLC an electric power franchise agreement – first reading. ***The vote was unanimous. Motion carried.***
8. **Ordinance No. O-2016-027-15 (Z-009-16)** - Conduct a public hearing and consider action on the application of Eudelia Delos Santos for a Zoning Change request from “C-1” Commercial District to “SF-2” Single Family Residential District located on Lot 36, Block 1 of the Jonesfield Addition, being approximately 0.465 acres located south of Midway Road and west of McQuire Road, locally known as 5812 Midway Road, and action on an amendment to O-2010-011-15, amending the Future Land Use Plan within the 2010 Comprehensive Land Use Plan – ***First Reading.*** Justin French, Planning and Community Director, presented the ordinance and a discussion was

held regarding the current land use plan and upholding the current zoning. Mayor Averitt opened the Public Hearing at 7:35 p.m. The following individuals came forward: (1) Property owner Rene Delos Santos stated he had tried to sell the property under the current zoning and could not get a buyer, which led to him requesting a zoning change. (2) Roy Sullins stated he felt the zoning should stay commercial and would speak to the owner regarding a possible purchase of the property after the meeting. No other citizen came forward. Mayor Averitt closed the Executive Session at 7:40 p.m. Council Member Fowler moved, seconded by Council Member Nunn, for denial of Ordinance No. O-2016-027-15 (Z-009-16) – first reading. **The vote was unanimous. Motion carried.**

9. **Ordinance No. O-2016-028-15 (Z-010-16)** - Conduct a public hearing and consider action on the application of Vian Boutaloth for a Zoning Change request from "M-1" Industrial District to "M-2" Heavy Industrial District located on Lot 2A of the Jack Williams Subdivision Addition, being approximately 0.641 acres located north of Midway Road and east of Weaver Street, locally known as 2604 Weaver Street – **First Reading.** Planning and Community Director Justin French presented the ordinance and a discussion was held regarding the business use of the property. Mayor Averitt opened the Public Hearing at 7:46 p.m. and business owner Quoc Cuong Tran came forward and answered questions concerning "bottling" operations, property enlargement uses, and the employee status. No other citizen came forward. Mayor Averitt closed the Public Hearing at 7:50 p.m. Council Member Garrett moved, seconded by Council Member Fowler, to approve Ordinance No. O-2016-028-15 (Z-010-16) – first reading. **The vote was unanimous. Motion carried.**
10. **Ordinance No. O-2016-029-15 (Z-012-16)** - Conduct a public hearing and consider action on the application of Ernest Hedgcoth on behalf of Richey Road Partnership for a Zoning Change request from "SF-2" Single Family Residential District to "M-2" Heavy Industrial District located on Lot 17, Block 16 of the Parkdale Gardens Addition, being approximately 0.345 acres located north of Airport Freeway and west of Moneda Street, locally known as 2221 Moneda Street, and action on an amendment to O-2010-011-15, amending the Future Land Use Plan within the 2010 Comprehensive Land Use Plan – **First Reading.** Planning and Community Development Director Justin French presented the ordinance and a discussion regarding the surrounding "M-2" zoned properties was held. Mayor Averitt opened the Public Hearing at 7:58 p.m. Ernest Hedgcoth, of Hedgcoth Consultant Engineers, presented information concerning the need for the zoning change to expand employee parking and storage. No other citizen came forward. Mayor Averitt closed the Public Hearing at 8:02 p.m. Council Member Grow moved, seconded by Council Member Garrett, to approve Ordinance No. O-2016-029-15 (Z-012-16) for the approval of zoning change "SF-2" to "M-2" – first reading. **The vote was unanimous. Motion carried.**
11. **Ordinance No. O-2016-024-15** - Conduct a public hearing and consider action on an amendment to Ordinance No. O-2002-032-15, the Zoning Ordinance of the City of Haltom City, Texas, by adopting regulations for certain land uses; providing and amending certain land use definitions; providing for and amending the classification of certain land uses in certain zoning districts; and providing and amending restrictions and parking requirements – **First Reading.** Planning and Community Development Director Justin French presented the ordinance. Mayor Averitt opened the Public Hearing at 8:06 p.m. No citizen came forward. Mayor Averitt closed the

Executive Session at 8:07 p.m. Council Member Grow moved, seconded by Council Member Fowler, to approve Ordinance No. O-2016-024-15 – first reading. **The vote was unanimous. Motion carried.**

VISITORS/CITIZENS FORUM

No citizen came forward.

BOARDS/COMMISSIONS

12. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members. Council Member Garrett presented the resignation of Jaye Arsement from the Place 3 position on the Planning and Zoning Commission and also commented on her valuable service on the P & Z. **The resignation was approved unanimously.**
13. **Appointment/Reappointment to Boards and Commissions** – Consider approval regarding appointments to Boards/Commissions. No appointments or reappointments were made. Mayor Averitt mentioned that several of his appointments were forthcoming and invited citizens to apply.

EXCUSED ABSENCE OF COUNCIL MEMBERS

14. **Attendance Requirements** – Consideration regarding excused absences of Council Members according to Article III, Sec. 3.07 (a). Attendance Requirements of the Haltom City Charter. Mayor Pro Tem Watkins moved to approve both excused absences of Council Members Stephanie Davenport and Dr. An Truong. **The absences were unanimously approved.**

Mayor Averitt called for a motion from the previous Executive Session.

RECONVENE TO REGULAR SESSION

15. Council Member Garrett moved, seconded by Council Member Grow, to approve the first amendment to the salary reduction agreement as discussed in Executive Session. **The vote was unanimous. Motion carried.**

ADJOURNMENT

Mayor Averitt adjourned the meeting at 8:10 p.m.

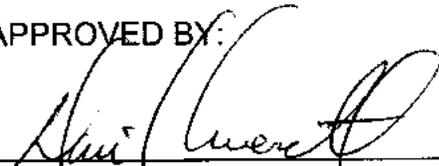
RESPECTFULLY SUBMITTED BY:

APPROVED BY:



Art Camacho, City Secretary





David Averitt, Mayor