

**MINUTES
HALTOM CITY COUNCIL MEETING
CITY HALL, 5024 BROADWAY AVENUE
January 25, 2016**

A Regular Meeting was held by the City Council of the City of Haltom City, Texas, on January 25, 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; Jennifer Fung, Finance Director; Julie Orebaugh, Community Projects Director, Janet Carver, Purchasing Agent, and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER

Mayor David Averitt called the Worksession to order at 6:00 p.m. Public Works Director Greg Van Nieuwenhuize informed the Council of issues with the Capital Improvement Project Funds 2015 carryover and displayed a PowerPoint indicating several projects that will be completed in 2016 and others that will be completed next year. Council Member Jeannine Nunn presented the forming of a Memorial Garden Committee and will receive input from City Staff and other sources. This item will be placed on the next Council agenda for February 8, 2016. The Consent Agenda was discussed and no changes were made. The Regular Agenda was discussed and a change in Agenda Item # 10 – Community Development Block Grant Project – regarding the total grant amount of \$175,000 was changed to \$185,000. The Council also requested a Fee Schedule copy that included the neighboring area city comparisons. The Worksession ended at 6:40 p.m.

REGULAR MEETING

CALL TO ORDER

Mayor Averitt called the meeting to order at 7:00 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:

Library

Family Movie Night - Monday, February 8th, 6:30 p.m. - Movie: *Ella Enchanted*

Craft Saturday - Saturday, February 27th, 10 a.m. – Noon. Craft making for adults, craft: St. Patrick's Day Craft - \$5.00 plus supplies; supplies list maybe found on website

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

Tax Help Preparation - AARP will assist people in filing income tax forms. 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. For ages 6 – 12; free and no registration is required

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

Take Home Valentine Day Craft for Children - February 13th – Valentine wreath.

Story Times

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

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

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

The Car Show for Kids is Saturday, April 2nd and we need volunteers to serve on the committee. Sponsorships are also available as the event raises funds for free backpacks and school supplies for Haltom City students. \$50 sponsors one student for the entire school year and we need your financial support to make a difference. Meetings are held at 2pm the 2nd Thursday of the month at the Rec Center.

The 28th annual Images of Haltom City Photo Contest begins February 1st through March 18th! It's free to enter and the Best of Show is awarded \$200. Look for more information on the city's website, social media and the next Crossroads.

If you have a pre-schooler (under 5 years old) at home and live in the 76117 zip code of Haltom City, you are eligible to receive one FREE book mailed to you each month through the United Way of Tarrant County and Dolly Parton's Imagination Library. The link to register your child is available on the city's website and a limited number of brochures are available at the Haltom City Library.

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.

Citizen Betty Porter addressed the Council regarding a tour of the Haltom Family Mansion Tour scheduled for March 5th.

PRESENTATION – Community Projects Director Julie Orebaugh presented a PowerPoint displaying the “Christmas on Broadway” event and also a Proclamation regarding the Patton Family and their “Giving Christmas” program.

REPORTS

1. **Monthly Financial Report for November/December 2015** – Consideration and/or action regarding approval of the preliminary monthly Financial Report for the month ending November 30, 2015 and December 31, 2015. Finance Director Jennifer Fung presented the financial reports for both November and December 2015. A discussion was held regarding low revenues in the Fees/Fines funds. No action was taken.
2. **Quarterly Investment Report for 2015** – Consideration and/or action regarding approval of the December 2015 Quarterly Investment Report. Finance Director Jennifer Fung presented the report that included a slight increase in investment rate percentages. No action was taken.
3. **Capital Improvements Report** – Presentation of quarterly status report of all major capital improvement projects. Public Works Director Greg Van Nieuwenhuize presented the Capital Improvement Report that included updates on road construction and maintenance, sewer line replacements, traffic signal and monument sign installations, drainage improvements, and city park improvements.

CONSENT AGENDA

4. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of January 11, 2016 and January 18, 2016.
5. **Ordinance No. O-2015-024-15 (Z-011-15)** - 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 – ***2nd reading.***
6. **Ordinance No. O-2015-025-15 (CU 007-15)** - 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 – ***2nd reading.***
7. **Ordinance No. O-2015-026-15 (CU-005-15)** - 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 – ***2nd reading.***
8. **Tarrant County Interlocal Purchasing Agreement** – Consideration and/or action regarding approval to authorize the City Manager to enter into an Interlocal Purchasing Agreement with Tarrant County for an attachment on the agreement with Reliable Paving.

9. **Interlocal Purchasing System (TIPS) Agreement** – Consideration and/or action regarding approval to authorize the City Manager to enter into an Interlocal Purchasing Agreement with Region VIII Education Service Center.

Council Member An Truong moved, seconded by Mayor Pro Tem Bob Watkins, to approve the Consent Agenda, consisting of Items # 4, 5, 6, 7, 8, and 9. ***The vote was unanimous. Motion carried.***

REGULAR AGENDA

10. **Community Development Block Grant Project** – Conduct a public hearing and consideration and/or action regarding approval of Resolution No. R-2016-004-11 designating the Minnie Street Water Main (N.E. 28th Street to Hollis Street) Replacement Project to Tarrant County as the City’s FY2016 Community Development Block Grant Project (42nd Year). Public Works Director Greg Van Nieuwenhuize presented the resolution and a discussion was held regarding the change in the financial amount awarded. Mayor David 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 recused himself from the voting due to property ownership on Minnie Street. Council Member Davenport moved, seconded by Council Member Garrett, to approve Resolution No. R-2016-004-11 – CDBG Project. ***The vote was unanimous, 6-0-1, with Council Member Fowler abstaining. Motion carried.***
11. **Final Plat (P-003-16)** – Consideration and/or action on the application of Santiago Avelar for approval of a final plat creating Lot 1, Block 1 of the Avelar Addition from Tract 14D1 of the J. B. York Survey, A-1754, located in the “SF-2” Single Family Residential District, containing approximately 0.473 acres, and locally known as 3813 Springdale Road. Planning and Community Development Director Justin French presented the plat and Mayor Averitt opened the Public Hearing at 7:58 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 7:59 p.m. Council Member Fowler moved, seconded by Council Member Grow, to approve Final Plat (P-003-16). ***The vote was unanimous. Motion carried.***
12. **Ordinance No. O-2016-002-15 (Z-001-16)** - Conduct a public hearing and consider action on the application of Geraldo Sanchez for a Zoning Change request from “C-3” Commercial District to “SF-2” Single Family Residential District located on Lot 8, Block 2 of the Shady Dell Addition, being approximately 0.181 acres located south of E. Belknap Street and west of Owens Street, locally known as 2021 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 – ***First reading.*** Planning and Community Development Director Justin French presented the ordinance and a discussion was held regarding the lone rejection and eventual redesigning of the property. Mayor Averitt opened the Public Hearing at 8:07 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 8:08 p.m. Council Member Grow moved, seconded by Council Member Truong, to approve Ordinance No. O-2016-002-15 (Z-001-16) - from “C-3” Commercial District to “SF-2” Single Family, at Lot 8, Block 2 of the Shady Dell Addition – first reading. ***The vote was unanimous. Motion carried.***
13. **Resolution No. R-2016-006-11** – Conduct a Public Hearing and consider action to approve Resolution No. R-2016-006-11, supporting the application of Lennox

Industries, Inc. for a Municipal Setting designation for the property located at 4900 Airport Freeway, Fort Worth, Texas, to the TCEQ. Assistant City Manager Chuck Barnett presented the resolution and additional information was provided by Allison Exall, of Exall Wood Attorneys, representing Lennox Industries, and Mike Grover, of Westin Solutions, whose company handled the environmental cleanup. Mayor Averitt opened the Public Hearing at 8:24 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 8:25 p.m. Council Member Garrett moved, seconded by Council Member Davenport, to approve Resolution No. R-2016-006-11 – application of Lennox Industries to the TCEQ. ***The vote was unanimous. Motion carried.***

14. **Easement Abandonment** – Consideration and/or action to approve Resolution No. R-2016-002-11 to abandon/vacate an existing 15' Sanitary Sewer Easement along the rear of Lots 1-6 of Blk C of the Springlake Park Addition. Public Works Director Greg Van Nieuwenhuize presented the resolution. Council Member Fowler moved, seconded by Mayor Pro Tem Watkins, to approve Resolution No. R-2016-002-11 – abandonment of 15' Sanitary Sewer Easement of Lots 1-6 of Block C. ***The vote was unanimous. Motion carried.***
15. **Easement Abandonment** – Consideration and/or action to approve Resolution No. R-2016-003-11 to abandon/vacate an existing Sanitary Sewer Easement that cuts diagonally thru Lot 1 of Block C of the Springlake Park Addition. Public Works Director Greg Van Nieuwenhuize presented the resolution. Council Member Grow moved, seconded by Council Member Nunn, to approve Resolution No. R-2016-003-11 – abandonment of existing sewer easement in the Springlake Park Addition. ***The vote was unanimous. Motion carried.***
16. **Fee Schedule** – Consideration and/or action regarding approval of Resolution No. R-2016-005-03 amending the fee schedule. Council Member Garrett moved, seconded by Council Member Truong, to table Resolution No. R-2016-005-03 until the next meeting in February. ***The vote was unanimous. Motion carried.***
17. **TIRZ No. 1 Board Appointments** – Consideration and/or action to appoint Place 2 and 4 on the Tax Increment Reinvestment Zone No. 1 Board of Directors. Mayor Pro Tem Bob Watkins moved, seconded by Council Member Garrett, to replace Place 2 Richard Hutchison and Place 4 Jim Sutton with Council Member Grow to Place 2 and Layla Caraway to Place 4. ***The vote was unanimous. Motion carried.***

BOARDS/COMMISSIONS

18. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members. There were no resignations.
19. **Appointment/Reappointment to Boards and Commissions** – Consider approval regarding appointments to Boards/Commissions. Council Member Truong appointed Donna Peterson to the Library Board. ***The appointment was unanimously approved.*** Mayor Averitt appointed Mayor Pro Tem Watkins as the Council Contact to the Fire Services Board. ***The appointment was unanimously approved, with Mayor Pro Tem Watkins abstaining.***

Mayor Averitt called for an Executive Session at 8:35 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 3001, 3005, and 3009 Markum Drive.

Section 551.074 - Personnel

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

RECONVENE TO REGULAR SESSION

20. Take any action deemed necessary as a result of the Executive Session. The Council reconvened to Regular Session at 9:53 p.m. Council Member Garrett moved, seconded by Council Member Davenport, to approve the actions determined in Executive Session to purchase 3001, 3005, and 3009 Markum Drive. ***The vote was unanimous. Motion carried.***

ADJOURNMENT

Mayor Averitt adjourned the meeting on January 25, 2016 at 9:55 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

Art Camacho, City Secretary

David Averitt, Mayor