

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

A Regular Meeting was held by the City Council of the City of Haltom City, Texas, on April 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 Place 7 Dr. An Truong	
Council Member 6 Stephanie Davenport was absent.	

Staff Present: Keith Lane, City Manager; Chuck Barnett, Assistant City Manager; Rex Phelps, Assistant City Manager, Wayne Olson, City Attorney; Art Camacho, City Secretary; Justin French, Planning and Community Development Director; Jennifer Fung, Finance Director; Christi Pruitt, Recreation Center Director; and Greg Van Nieuwenhuize, Public Works Director. Trent Petty, of Petty Consultants, was also present.

WORKSESSION

CALL TO ORDER

Mayor David Averitt called the Worksession to order at 6:05 p.m. and opened the Worksession with a discussion on creating and maintaining a Haltom City Public Arts program, providing funding sources, and improving the beautification of the community. A discussion was held regarding a smoking ban in city parks and at city facilities that included approving an amendment to the smoking ordinance that would affect all city parks. Mayor Averitt called for an Executive Session at 6:30 p.m.

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, construction contract with Tiseo Paving, 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.

Section 551.074 - Personnel

Deliberation regarding the appointment, employment, evaluation, reassignment, or duties of the City Secretary.

The Executive Session ended at 7:00 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 Scott Garrett 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

Coloring & Cookies for Grown Ups will be held on Friday, May 6th, 6:30 – 8:00 p.m.

Super Science Saturdays are held the first Saturday each month. The theme for May is *Fingerprints* and the event will be held Saturday, May 7th, 9:00 - 10:30 a.m., for ages 6 – 12. It is free and no registration is required

Family Movie Night - Monday, May 9th, 6:30 p.m. - Movie: *Chicken Little*.

16th Annual Writing Contest – For poetry & short story with the deadline of May 31st.

Story Times

Thursdays, 11 – 11:45 a.m., - ages 3 & older, 1st Thursday of each month puppet show.

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

Computer classes are now available for citizens.

The Computer Basic has two classes and they are all the same class material.

The Tuesday classes are May 3rd and 10th and the Thursday classes are May 5th and 12th. The class times are from 8:30 – 10 a.m. for both days. Citizens may choose either Tuesdays or Thursdays, or they may come to all four of the sessions.

The Internet Basics classes are the same material for both classes and will be held on Tuesday, May 17th and Thursday, May 19th and the class times are from 8:30 – 10 a.m.

The Microsoft WORD classes are also the same material for both classes and will be held on Tuesday, May 24th and Thursday, May 26th and the class times are from 8:30 – 10 a.m.

Announcements and Events from Community Projects

All of the 342 Images of Haltom City photo entries are on display at the Haltom City library, including all the winners and honorable mention, through the month of April. The contestant's entries will be available for pick-up at the Recreation Center beginning Friday, May 13th and entries not picked up by Friday, June 3rd will be discarded.

Electronics recycling is available at no cost to all Haltom City residents on a continual basis. Load up your items to be recycled and drive them to the Progressive Convenience Center, located at 2120 Minnis Dr. here in Haltom City. Drop off is available Monday through Friday, 8:00 a.m. to 4:30 p.m., as well as Saturdays from 8:00 a.m. to 12:00 p.m. ECS Refining is responsible for our electronics recycling program and they have provided the large container at the Progressive Convenience Center.

Haltom City extends a "Thank you" to the Fort Worth Farmers Market at 5507 E. Belknap St. for being named the city's Business of the Quarter, 2nd quarter. The Farmers Market serves as an example of the importance to the city's economic

development prospects that all businesses maintain their landscaping, provide a safe environment and a welcoming atmosphere.

There will be a FREE paper shredding event on Saturday, April 30th at the Community Enrichment Center, 6250 NE Loop 820, North Richland Hills, from 9:00 a.m. until 12:00 noon (or until full). This free event is sponsored by Legends Bank.

Haltom City General and Special Election – Early Voting Begins April 25th

Early Voting for the Haltom City General and Special Election will be held at numerous polling locations throughout Tarrant County, including the Tarrant College Northeast Center, 3201 Friendly Lane, beginning today, Monday, April 25th and continuing to Tuesday, May 3rd. Candidates in the Haltom City General Election that were unopposed include Council Place 3 - Scott Garrett, Council Place 4 - Trae Fowler, and Council Place 5 - Bob Watkins. A race is being held for Council Place 6 between incumbent Stephanie Davenport and challenger Linda Thompson. The Special Election consists of this voter proposition: "The abolition of the local Sales and Use Tax for the benefit of the Type B Economic Development Corporation within Haltom City; The adoption of a local Sales and Use Tax in Haltom City at the rate of One and Three-Eighths Percent (1 3/8%); And the adoption of a local Sales and Use Tax in Haltom City at the rate of Three-Eighths of One Percent (3/8%) to provide revenue for the maintenance and repair of municipal streets." Citizens can also find other Early Voting stations on the following link to Tarrant County Elections: <http://www.tarrantcounty.com/evote/site/default.asp>

REPORTS

1. **Monthly Financial Report for March 2016** – Review of the preliminary monthly Financial Report for the month ending March 31, 2016. (**J. Fung**) Finance Director Jennifer Fung provided the month financial report and a discussion was held regarding the Depreciation and Debt Service Payment ratio. No action was taken.
2. **Quarterly Investment Report for 2016** – Consideration and/or action regarding approval of the March 2016 Quarterly Investment Report. (**J. Fung**) Finance Director Jennifer Fung provided the quarterly investment report and a discussion was held regarding the protests by property owners to the Tarrant Appraisal District and the changes caused by the interest rate increases. No action was taken.

CONSENT AGENDA

3. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of April 11, 2016 and April 18, 2016. (**A. Camacho**)
4. **Ordinance No. O-2016-010-10** – Consideration and/or action approving Ordinance No. O-2016-010-10 adopting the 2016 Standards of Care – **2nd Reading** (**C. Pruitt**)

Council Member Walter Grow moved, seconded by Council Member Dr. An Truong, to approve the Consent Agenda consisting of Items 1 and 2. ***The vote was unanimous. Motion carried.***

REGULAR AGENDA

5. **Resolution No. R-2016-014-03** – Consideration and/or action on approval of a negotiated resolution between the Steering Committee of Cities Served by Oncor regarding the concerns of just and reasonable rate. (**J. Fung**) Finance Director

Jennifer Fung presented the resolution and a discussion was held regarding the future rate savings. Council Member Truong moved, seconded by Council Member Grow, to approve Resolution No. R-2016-014-03 – approval of a negotiated resolution between the Steering Committee of Cities Served by Oncor. ***The vote was unanimous. Motion carried.***

6. **Hillshire Farms Economic Development Agreement** – Consideration and/or action regarding approval of a 380 agreement with Hillshire Farms. **(C. Barnett)** Assistant City Manager Chuck Barnett introduced Trent Petty, who presented the agreement and also introduced Janet Nash and Rachel Stewart, of Tyson Foods. A discussion was held regarding the definition and purpose of a 380 agreement, the projected improvements, taxable portions of the improvements, the lack of other local taxing entities not associated with the 380 agreement, and the payment schedule. Council Member Scott Garrett moved, seconded by Council Member Trae Fowler, to approve the economic development agreement with Hillshire Farms. ***The vote was unanimous. Motion carried.***
7. **Schedule Special Council Meeting and Cancel a Regularly Scheduled Council Meeting** – Consideration and/or action to schedule a special Council meeting for May 16, 2016 to allow for the canvassing of the May 7th General and Special Election, the installation of the newly elected officials, and possibly cancel the regularly scheduled meeting of May 23, 2016. **(A. Camacho)** City Secretary Art Camacho presented the possible schedule change in lieu of the date of the General and Special Election and the necessary canvassing. A discussion was held in regard to the amount of business scheduled for the May 9th meeting to be included with the canvassing. Council Member Fowler moved, seconded by Council Member Jeannine Nunn, to reschedule the May 9th meeting to May 16th to allow for the canvassing and business and to have a regular Council meeting on May 23rd. ***The vote was unanimous. Motion carried.***
8. **Ordinance No. O-2016-008-15 (Z-004-16)** - Conduct a public hearing and consider action on the application of Elias Loreda for a Zoning Change request from "C-2" Commercial District to "C-3" Commercial District located on Lot 1, Block 23 of the Parkdale Gardens Addition, being approximately 0.332 acres located south of Ellison Avenue and east of Carson Street, locally known as 2600 Carson Street.- ***First Reading (J. French)*** Planning and Community Development Director Justin French presented the ordinance and a discussion was held regarding drainage issues of the property, parking availability, and zoning changes. Mayor Averitt opened the Public Hearing at 8:05 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 8:06 p.m. and recognized Council Member Truong, who moved to approve Ordinance No. O-2016-008-15 (Z-004-16). Motion died for lack of a second. Council Member Fowler moved, seconded by Council Member Garrett, to resend Ordinance No. O-2016-008-15 (Z-004-16) back to the Planning and Zoning Commission for consideration with a non-fee for consideration for a Planned Development for a future opportunity to return to the Council. ***The vote was unanimous. Motion carried.***
9. **Ordinance No. O-2016-009-15 (CU-002-16)** – Conduct a public hearing and consider action on the application of Jesus Mejia for a Conditional Use Permit request with site plan approval, for tire sales store and automobile and light truck repair shop located on Tract 18B9 of the Joel Walker Survey, being approximately 0.2 acres located south of E. Belknap Street and west of Layton

Avenue, locally known as 4320 E. Belknap Street. – **First Reading (J. French)** Planning and Community Director Justin French presented the ordinance and a discussion was held why the current occupant has switched the main business purpose. Mayor Averitt opened the Public Hearing at 8:16. Property owner Jesus Meija addressed the Council concerning the small parking situation, vehicle storage, and the type of auto repair work to be performed. Mayor Averitt closed the Public Hearing at 8:23 p.m. Council Member Fowler moved, seconded by Council Member Truong, for denial of Ordinance No. O-2016-009-15 (CU-002-16) – first reading. **The vote was unanimous. Motion carried.**

10. **Resolution No. R-2016-012-11 – Award of Sanitation Sewer Project** - Consideration and/or action to approve Resolution R–2016–012–11, authorizing the City Manager to make payment to Fort Worth for Haltom City's proportionate share of both the engineering costs and construction costs for Phase 1 & Phase 3 of the Big Fossil Relief Sewer Main Project. (**G. Van Nieuwenhuize**) Public Works Director Greg Van Nieuwenhuize presented the resolution, which included the proportionate share for Haltom City, the specific project objectives, and the projected time for completion. Council Member Garrett moved, seconded by Council Member Truong, to approve Resolution No. R-2016-012-11 as presented. **The vote was unanimous. Motion carried.**
11. **Resolution No. R-2016-013-11 - TxDot Agreement – Carson Bridge –** Consideration and/or action to approve Resolution R–2016–013–11, authorizing the City Manager to execute the Advance Funding Agreement Amendment #1 for the Carson Street Bridge Replacement Project. (**G. Van Nieuwenhuize**) Public Works Director Greg Van Nieuwenhuize presented the resolution which included the increase of funding, engineering, and the projected time for completion. Council Member Grow moved, seconded by Council Member Nunn, to approve Resolution No. R-2016-013-11. **The vote was unanimous. Motion carried.**
12. **Fuel City Easement and Agreement –** Consideration and/or action on an agreement by and between Benda Haltom City LLC, White Buffalo Exchange, LLC, and Cougar Springs Investments, LLC (collectively known as the owner) and Haltom City. (**C. Barnett/G. Van Nieuwenhuize**) Assistant City Manager Chuck Barnett presented the agreement and a discussion was held regarding easement issues for the sign installation and a dedication for a message board. Council Member Grow moved, seconded by Council Member Truong, to approve the Fuel City Easement and Agreement as presented by Assistant City Manager Chuck Barnett. **The vote was unanimous. Motion carried.**
13. **Variance to Livestock Ordinance –** Consideration and/or action to approve a variance to Section 10-49 of the City Code to authorize the keeping of livestock within an enclosure on Block 1, Lot 1 Fuel City Haltom City Addition. (**R. Phelps**) Assistant City Manager Rex Phelps presented the ordinance variance and a discussion was held regarding the potentially different types of livestock that could be kept and the 100' enclosure limits. Council Member Fowler moved, seconded by Council Member Nunn, to approve a variance to Section 10-49 – authorizing an enclosure to be within the 100' guidelines on Block 1, Lot 1, Fuel City Haltom City Addition. **The vote was unanimous. Motion carried.**

VISITORS/CITIZEN FORUM

No citizen came forward.

BOARDS/COMMISSIONS

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

EXECUTIVE SESSION

Mayor Averitt called for an Executive Session at 8:42 p.m.

RECONVENE TO REGULAR SESSION

- 16. The Council reconvened into Regular Session at 9:53 p.m. No action was taken.

ADJOURNMENT

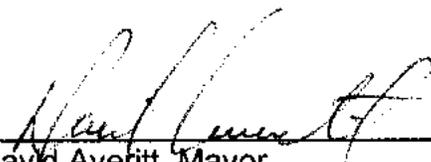
Mayor Averitt adjourned the meeting on April 25, 2016 at 9:53 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:



Art Camacho, City Secretary



David Averitt, Mayor

