

**MINUTES**  
**HALTOM CITY COUNCIL MEETING**  
**CITY HALL, 5024 BROADWAY AVENUE**  
**May 23, 2016**

A Regular Meeting was held by the City Council of the City of Haltom City, Texas, on May 23, 2016, at 7:10 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 6 Stephanie Davenport	Council Place 7 Dr. An Truong

Council Place 4 Trae Fowler arrived at 6:54 p.m. Council Place 3 Scott Garrett was absent. Staff Present: Keith Lane, City Manager; Chuck Barnett, Assistant City Manager; Rex Phelps, Assistant City Manager; Wayne Olson, City Attorney; Donna Pliska, Assistant City Secretary; Justin French, Planning and Community Development Director; Jennifer Fung, Finance Director; Janet Carver, Purchasing Agent, Steve Ross, Fire Chief, and Greg Van Nieuwenhuize, Public Works Director.

**WORKSESSION**

**CALL TO ORDER**

Mayor David Averitt called the Worksession to order at 6:04 p.m. Justin French presented the Community Home Program Ordinance and a discussion was held regarding the definition of "family," residential housing area footage, and legal housing issues. Mayor Averitt called for an Executive Session at 6:20 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

**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 7:03 p.m.

## REGULAR MEETING

### CALL TO ORDER

Mayor Averitt called the meeting to order at 7:10 p.m.

### INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Pro Tem Bob Watkins led a silent prayer, the Pledge of Allegiance, and the Texas Flag Pledge.

### ANNOUNCEMENTS AND EVENTS

Council Member Stephanie Davenport announced the following:

#### Library

**Computer classes are available.** Microsoft WORD classes use the same material for both classes. Class times are 8:30 – 10 a.m. on Tuesday, May 24<sup>th</sup> and Thursday, May 26<sup>th</sup>.

**16<sup>th</sup> Annual Writing Contest** continues, entries are poetry & short stories. The deadline is May 31, 2016. More information is found on the City Library webpage.

**Summer Reading Program Kick-off** is Friday, June 3<sup>rd</sup> at 2 p.m. The Perot Museum of Nature and Science is bringing their Tech Truck. Events are 5 days a week thru June and July.

**Family Movie Night** will be Monday, June 6<sup>th</sup> and Monday, June 11<sup>th</sup>, at 6:30 p.m. featuring the movie *The Good Dinosaur* on the 6<sup>th</sup> and *Hotel Transylvania 2* on the 13<sup>th</sup>.

**Coloring & Cookies for Grown Ups** will be held on Friday, June 3, 6:30 – 8 p.m. Materials are supplied, but citizens may bring their own coloring supplies.

**Story Times** continues on Thursdays, 11 – 11:45 a.m. for ages 3 and older. The first Thursday of each month also features a puppet show. Story Times are also held on Fridays, from 10:30 – 11:15 a.m., for ages 2 and younger.

**Super Science Saturdays** is where science meets fun on the first Saturday of each month. June's theme is Geology with class starting on Saturday, June 4<sup>th</sup>, 9 - 10:30 a.m. July's theme is Lenses, Prisms, and Optics, with class starting on Saturday, July 2<sup>nd</sup>, 9 – 10:30 a.m. It is for ages 6 – 12 and is free. No registration required.

**Bi-lingual Story Time** will be held every Wednesday from 10:30 – 11 a.m., starting June 8<sup>th</sup> which includes songs and stories in Spanish and English and a craft.

**Ladies' Night Out** on August 13<sup>th</sup> is an annual night of fun and there is an Early Bird Special, which you can buy your ticket at the discounted price of \$39 before June 18<sup>th</sup> and be placed in a drawing for a diamond necklace. After June 18<sup>th</sup> the ticket price goes up to \$45 and the eligibility for the necklace ends.

Citizens may call the Library at 817.222.7787 or visit the website at [www.haltomcitytx.com](http://www.haltomcitytx.com). Don't forget to download the library app!

#### Announcements and Events from Community Projects

Haltom City is hosting the Arts Council Northeast Masterworks concert series this June at the Haltom City Public Library. The South African multi-cultural group "Boitumelo" will be performing on Friday, June 10. On June 24<sup>th</sup> children's entertainer "Mr. Blue Shoes" will take the stage. Both free concerts are from 3:30 - 4:30 p.m., and open to everyone.

**Bottled Water Drive** - Haltom City CERT will be holding their third annual Bottled Water Drive on Saturday June 4<sup>th</sup> from 9 am -1 pm. CERT will be cooking hot dogs, and encourages citizens to meet with the staff of Fire, Police, and Public Works. The event will be in the back parking lot of the Central Fire Station at 5525 Broadway.

Council Member Jeannine Nunn announced the following:

**Memorial Day Program** - The American Legion Post #655 will be hosting a Memorial Day program to honor our fallen veterans at the New Trinity Cemetery (4001 NE 28<sup>th</sup> Street) on Monday, May 30<sup>th</sup> at 10am. Plan to attend the free concert at the Haltom City

Memorial Day Celebration on Monday, May 30<sup>th</sup> at 6 pm at the American Legion Post #655 (2817 Carson St.). The Jazz Monsters will be playing popular music from the 1940s and 50s, as well as patriotic favorites. Council Member Nunn also gave a short history regarding the American Legion and the many programs and fundraisers they support. City Manager Keith Lane introduced Cody Phillips as Haltom City's new police chief.

## **PRESENTATION**

**MedStar** – Matt Zavadsky provided a handout to each Council Member and relayed information regarding the continued work partnership with Haltom City, service report increases, and new protocol procedures.

**“Fourteen for Fido” Brianna Fagan** – Josh Howard, Animal Control Officer, received a total donation of \$2,139.15 from the effort of Brianna Fagan.

## **REGULAR AGENDA**

1. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of May 16, 2016 and May 18, 2016. **(A. Camacho)** Council Member Fowler moved, seconded by Council Member Davenport, to approve the Minutes of May 16, 2016 and May 18, 2016. ***The vote was unanimous. Motion carried.***
2. **Ordinance No. O-2016-013-10** – Conduct a Public Hearing and consideration and/or action regarding approval of an amendment to Section 70-150 in Article III of Chapter 70 of the Code of Ordinances, City of Haltom City, Texas; providing regulations restricting the locations where smoking and tobacco use is allowed in all Haltom City Parks; providing regulations related to the use of electronic vaping devices in all Haltom City Parks, and providing penalty for violation as a misdemeanor with a fine. **1<sup>st</sup> Reading (J. French)** Planning and Community Development Director Justin French presented the proposed ordinance that included issuing tobacco and smoking restrictions to all city parks and restricting the tobacco usage, smoking, and vaping to the parking lot areas. Recreation Center Director Christi Pruitt also provided additional information in regard to obtaining the objective of tobacco/smoke/vaping free parks in Haltom City. Mayor Averitt opened the Public Hearing at 7:36 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 7:36 p.m. Council Member Grow moved, seconded by Council Member Fowler, to approve Ordinance No. O-2016-013-10 – first reading. ***The vote was unanimous. Motion carried.***
3. **Recreation Software Contract**– Consideration and/or action regarding approval to award Bid No. B2016-131-01 to REC1. **(C. Pruitt)** Recreation Center Director Christi Pruitt presented the contract bid and a discussion was held regarding the monthly charge for net transactions. Council Member Truong moved, seconded by Council Member Nunn, to approve Bid Award B2016-131-01 to REC1. ***The vote was unanimous. Motion carried.***
4. **Resolution No. R-2016-017-03** – Consideration and/or action regarding the approval and adoption of the Rate Review Mechanism (RRM) process for Atmos Energy Corporation, Mid-Tex Division. **(J. Fung)** Assistant City Manager Rex Phelps presented the resolution and a discussion was held regarding the capital investment reason behind the proposed Atmos rate increase. Atmos Representative Marilyn Ackmann also provided additional information regarding the rate increase proposal because of aging infrastructure. Council Member Grow moved, seconded by Council Member Fowler, to approve Resolution No. R-2016-017-03. ***The vote was unanimous. Motion carried.***

**VISITORS/CITIZEN FORUM**

Bill Journey addressed the subject of Senior Citizen's abuse.

**BOARDS/COMMISSIONS**

- 5. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members. There were no resignations.
- 6. **Appointment/Reappointment to Boards and Commissions** – Consider approval regarding appointments to Boards/Commissions. Mayor Pro Tem Bob Watkins (Place 5) made the following appointments:
  - 1. Herb Williams – Fire Services Board
  - 2. Jerry Gannaway – CCPD/Redlight Camera Citizens Advisory Board
  - 3. Larry Pinkerton – ZBA

**The appointments were approved unanimously.** No other appointments or reappointments were made.

Mayor Averitt adjourned into Executive Session at 7:53 p.m.

**EXECUTIVE SESSION**

- 7. Executive Session adjourned at 8:20 p.m. Mayor Averitt called the Regular Meeting from Executive Session at 8:22 p.m. Council Member Grow moved, seconded by Council Member Nunn, to approve the salary reduction agreement as discussed in Executive Session. **The vote was unanimous. Motion carried.**

**ADJOURNMENT**

Mayor Averitt adjourned the meeting at 8:25 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

Art Camacho

David Averitt

Art Camacho, City Secretary

David Averitt, Mayor

