

MINUTES
HALTOM CITY COUNCIL MEETING
CITY HALL, 5024 BROADWAY AVENUE
June 13, 2016

A Regular Meeting was held by the City Council of the City of Haltom City, Texas, on June 13, 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 6 Stephanie Davenport	Council Place 7 Dr. An Truong

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; Derek Wood, Fire Lieutenant, and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER

Mayor David Averitt called the Worksession to order at 6:02 p.m. The City Council engaged in an open discussion with Tiseo Paving in regard to the delays involving the main city entrance sign monuments and the contract specifications pertaining to the completion date and quality of the project. A presentation regarding the Veteran's Memorial Garden Committee project was given by Steve Chapman, which included a proposed site and design features. In addition, architect Deborah Gagliardi addressed the Council regarding the design and Iwo Jima survivor Bill Schott was recognized for his service and is to be inducted in the Veterans Memorial Garden Committee as an honorary member. Fire Lieutenant Derek Wood presented a Community Outreach presentation that included partnering with the Red Cross, CERT volunteers, and the Fire Services Board to provide smoke alarm initiatives. He also stated that a Junior Fire Camp will be held again this summer and will include the Police Department and volunteer groups, and that a water drive was successful.

There was no Executive Session and the Worksession ended at 7:25 p.m. Mayor Averitt called for a short recess prior to the Regular Meeting.

REGULAR MEETING

CALL TO ORDER

Mayor Averitt called the meeting to order at 7:35 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE

Council Member Stephanie Davenport gave the Invocation and led the Pledge of Allegiance, and the Texas Flag Pledge.

ANNOUNCEMENTS AND EVENTS

Council Member Stephanie Davenport announced the following:

Summer Reading Program Kick-off is underway and the Perot Museum of Nature & Science is bringing their Tech Truck with events 5 days a week during the months of June & July.

Family Movie Night will be Monday, July 11th at 6:30 p.m. featuring the movie "*Norm of the North*."

Story Times are continuing on Thursdays, 11 – 11:45 a.m. for ages 3 & 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 & younger.

Super Science Saturdays are held on the first Saturday of each month. The theme is Lenses, Prisms & Optics, with the class being held on Saturday, July 2nd, 9 – 10:30 a.m. It is for ages 6 – 12 and is free with no registration required.

Bi-lingual Story Time will be held every Wednesday from 10:30 – 11 a.m., ending August 31st. It includes songs and stories in Spanish and English, and a craft.

Peer to Peer Veterans Support Meetings will be held on the 2nd and 4th Mondays of each month.

Coloring and Cookies for Grownups is held every first Friday of the month until September 2nd from 6:30 – 8:00 pm; materials are provided or you can bring your own.

Ladies' Night Out annual night of fun is August 13th and there is an Early Bird Special, buy your ticket at the discounted price of \$39 before June 18th and be placed in a drawing for a diamond necklace. After June 18th 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.

Announcements and Events from Community Projects

Haltom City will once again be hosting the Arts Council Northeast Masterworks concert series this June and a concert will be held at the Haltom City Public Library. Friday, June 24th has children's entertainer "Mr. Blue Shoes" taking the stage. The concert is 3:30 - 4:30 p.m. These concerts are free and open to everyone.

Back to School Health Fair - The City of Haltom City, Birdville Independent School District, Birdville Council of PTAs, and numerous community partners have joined together to host our annual "Back to School Health Fair" for all Haltom City elementary and middle school students. The goal is to supply up to 5,000 students with a new backpack and school supplies. It will be held Saturday, July 30th, from 9 a.m. to 1 p.m. at the Haltom High School and will be a great start to the new school year with free dental and vision screenings, family photos, vendors, and more. Backpacks and school supplies will be handed out at the fair this year to Haltom City elementary and middle school students, while supplies last. Citizen support is needed in order to provide all Haltom City students with the school supplies they need. For sponsorship information, please email cp Pruitt@haltomcitytx.com or call the Recreation Center at 817-831-6464.

Summer Sports and Camps - Bowmen Sports is offering summer sports camps at the Haltom Recreation Center throughout the summer. Each week is a different sport – basketball, dodgeball, volleyball, soccer, and more. Camps are 4 days a week for 3 hours. Schedules will vary and are available online or at the Recreation Center. Boys and girls ages 6-13 may register for as many camps as they'd like through the summer. Cost is \$85/person per camp. Challenger Sports is hosting a youth soccer camp at Little Fossil on August 1 – 5. Camps are available for ages 3 – 16. Cost varies by age group from \$95 - \$125. Registration is available online at www.challengersports.com.

Spraygrounds – The Spraygrounds at Broadway Park and Whites Branch Park are open for the season and will close Labor Day weekend. In order to keep our Spraygrounds safe and enjoyable for everyone, please follow a few simple rules:

- Please monitor your children for safety.
- Appropriate clothing is required.
- No water balloons, glass containers, bicycles, skates, or skateboards allowed on the Sprayground.
- Please do not put anything into the spouts or fixtures or block the drains. This causes damage that will require closing the Sprayground.

- Please do your part to help keep our parks clean and pick up after yourself. In the past, a lot of trash has been left around the Spraygrounds. Please be sure to put trash in the provided receptacles.

Birdville Historical Museum Library is honored to host a special exhibit from the Tarrant County Historical Commission - the Tarrant County Heritage Traveling Exhibit - which covers Tarrant County history through 1900. The Exhibit was made possible through a grant from the Fash Foundation and will be available for viewing until the end of July.

Progressive Waste Merge - Effective June 2016, Progressive Waste in Haltom City has merged with Waste Connections out of The Woodlands, Texas. Progressive will begin immediately to change all name identification on uniforms, recycle bins, and trucks. The merger will not affect any change in existing rates with Progressive Waste and the City.

Council Member Walter Grow inquired as to how many bottles the water drive for the Fire Department collected and was told over 300 cases were donated.

PRESENTATION – Bonnie Richards, of the Haltom City Library Board of Directors, presented an invitation to the Council and citizens to participate in the “Summer Reading Program” and gave popcorn and book carrier bags as gifts.

CONSENT AGENDA

1. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of June 13, 2016. **(A. Camacho)**
2. **Ordinance No. O-2016-013-10** – 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 - ***2nd Reading*** – **(J. French)**
3. **Ad Valorem Taxing** – Consideration and/or action regarding approval of a contract with the Tarrant County Tax Office to provide ad valorem tax assessing, billing, collecting and reporting for the 2016 Tax Year – **(J. Fung)**

Council Member Dr. An Truong moved, seconded by Council Member Davenport, to approve the Consent Agenda of Items # 1, 2, and 3. ***The vote was unanimous. Motion carried.***

REGULAR AGENDA

4. **Ordinance No. O-2016-019-03** – Conduct a public hearing and consideration and/or action regarding the amendment to the Hotel Occupancy Tax. – ***1st Reading*** **(J. Fung)** Finance Director Jennifer Fung presented the ordinance and a discussion was held regarding fees from hotel booking internet services. 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 Grow moved, seconded by Council Member Garrett, to approve Ordinance No. O-2016-019-03 for the Hotel Occupancy Tax – first reading. ***The vote was unanimous. Motion carried.***
5. **Ordinance No. O-2016-014-15 (Z-005-16)** – Conduct a public hearing and consider action on the application of Lorenzo Garza for a Zoning Change request from “SF-2” Single Family Residential District to “C-2” Commercial District located on Lot 2, Block 4 of the North Eastridge Addition, being approximately 0.166 acres

located south of Broadway Avenue and east of Aurora Street, locally known as 3272 Aurora Street – **1st Reading. (J. French)** Planning and Community Development Director Justin French presented the ordinance and a discussion was held regarding the request for a zoning change and neighborhood concerns over the proposed business operations. Mayor Averitt opened the Public Hearing at 8:12 p.m. and the following citizens came forward:

1. Ryley Barlow – stated there is not enough area for the business and traffic.
2. Esther Lee – stated she was concerned with her pets being affected by the business and the dumpster collection noise.
3. Roy Martinez – presented photos and stated a driveway connecting both side streets would produce too much traffic.

Mayor Averitt closed the Public Hearing at 8:45 p.m. Council Member Fowler moved, seconded by Council Member Garrett, to have the applicant send the application back to the Planning and Zoning for consideration for a Planned Development (PD) proposal. **The vote was unanimous. Motion carried.**

6. **Ordinance No. O-2016-015-15 (Z-006-16)** – Conduct a public hearing and consider action on the application of Billy Nguyen for a Zoning Change request from “C-3” Commercial District to “D” Duplex District located on a portion of Lot 8, Block 13 of the G. W. Burkitt’s Subdivision, being approximately 1.122 acres located south of Carnation Street and east of N. Beach Street, locally known as 4101 E. Belknap Street – **1st Reading. (J. French)** Planning and Community Development Director Justin French presented the ordinance and a discussion was held regarding a possible parking problem and whether the lot is adequate to support three duplexes. Mayor Averitt opened the Public Hearing at 9:20 p.m. Ms. Iva Compton came forward and stated she did not want to see a duplex built because of the additional traffic, but would rather see two single homes built. No other citizen came forward. Mayor Averitt closed the Public Hearing at 9:25 p.m. Council Member Fowler moved, seconded by Council Member Nunn, to have the applicant send the application back to the Planning and Zoning for a Planned Development (PD) proposal. **The vote was unanimous. Motion carried.**

Mayor Averitt called for a break at 9:25 p.m. The Council resumed the Regular Meeting at 9:35 p.m.

7. **Ordinance No. O-2016-011-15** – Conduct a public hearing and consider action on amending Ordinance No. O-2002-032-15, the Zoning Ordinance of the City of Haltom City, Texas, by defining community home, community welfare shelter, and other zoning definitions; revising the definition of family, boarding house, and other zoning definitions; adopting regulations for community homes; providing for the classification of community home, community welfare shelter, and boarding house uses in certain zoning districts; providing clarification of land uses and land use classifications in certain zoning districts; and providing locational restrictions for community homes and providing clarification of related parking requirements.– **1st Reading (J. French)** Planning and Community Director Justin French presented the ordinance and a discussion was held regarding the P & Z amendments. Mayor Averitt opened the Public Hearing at 9:40 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 9:41 p.m. Council Member Grow moved, seconded by Council Member Truong, to approve Ordinance No. O-2016-011-15 – first reading. **The vote was unanimous. Motion carried.**

8. **Ordinance No. O-2016-017-15** – Conduct a public hearing and consider action on an amendment to Section 14-27 “Masonry requirements for designated commercial and industrial construction and residential construction” of Article I “In

General" of Chapter 14 "Building, Structures and Appurtenances" to provide clarification of applicability; to reflect new street naming; to enhance minimum masonry requirements for all commercial and industrial property. – **1st Reading (J. French)** Planning and Community Director Justin French presented the ordinance and a discussion was held regarding smooth and un-textured finishes, floor height, designated masonry-requirement areas, and portable buildings. Mayor Averitt opened the Public Hearing at 9:58 p.m. and the following individuals came forward:

1. Charles Scoma – stated the equity of the ordinance has to be maintained to be efficient; residential property continuity needs to be a priority for quality development; and the masonry ordinance should "flow" with the mixed-use and overlay plans for residential and business areas.
2. James Pliska – introduced several business owners and commented on the history of the masonry ordinance.
3. Roy Sullens – stated the ordinance will raise the price of construction for contractors preparing to build new buildings in Haltom City; masonry does not always bring an attraction as much as the building structure construction quality; requested a tabling of the ordinance.
4. Andy Hixon – stated he has been held up in his business construction because of several requirements; provided a brief summary of his collegiate studies of property purchasing on Midway Road; requested a lessening of the masonry ordinance.

Mayor Averitt closed the Public Hearing at 10:25 p.m. A discussion was held regarding the major changes, the history of the masonry ordinance, and the reasons for variances. Council Member Fowler moved, seconded by Council Member Truong, to approve Ordinance No. O-2016-017-15 with changes considered and removal of Section 1, (c) 7 – portable classroom buildings of public schools – first reading. **Council Member Fowler and Truong voted aye. Mayor Pro Tem Bob Watkins and Council Members Nunn, Grow, Garrett, and Davenport voted nay. Motion denied.** No other motion was made.

VISITORS/CITIZEN FORUM

No citizen came forward.

BOARDS/COMMISSIONS

9. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members. A resignation from Brent West of the ZBA was considered, but not voted due to a lack of clarity of his intent.
10. **Appointment/Reappointment to Boards and Commissions** – Consider approval regarding appointments to Boards/Commissions. Council Member Garrett reappointed James White to Place 3 of the Zoning Board of Adjustment. **The appointment was approved unanimously.** Mayor Averitt stated he will have several appointments for the Public Arts Master Plan at the first meeting in July.

Mayor Averitt adjourned into Executive Session at 10:52 p.m. Council Member Fowler left the meeting prior to the Executive Session.

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.

RECONVENE INTO REGULAR SESSION

11. The Executive Session adjourned at 11:07 p.m. No action was taken.

ADJOURNMENT

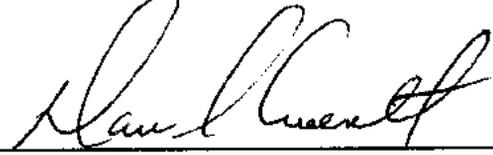
Mayor Averitt adjourned the meeting at 11:07 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:



Art Camacho, City Secretary



David Averitt, Mayor

