

**MINUTES  
HALTOM CITY COUNCIL MEETING  
CITY HALL, 5024 BROADWAY AVENUE  
August 22, 2016**

A Regular Meeting by the City Council of the City of Haltom City, Texas, which was rescheduled, was held on August 22, 2016, at 7 p.m. at City Hall, 5024 Broadway Avenue, Haltom City, Texas, with the following members present:

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

Mayor David Averitt and Council Place 6 Stephanie Davenport were absent.

Staff Present: Keith Lane, City Manager; Rex Phelps, Assistant City Manager, Wayne Olson, City Attorney; Art Camacho, City Secretary; Justin French, Planning and Community Director; Jennifer Fung, Finance Director; Cody Phillips, Police Chief; and Greg Van Nieuwenhuize, Public Works Director.

**WORKSESSION**

**CALL TO ORDER**

Mayor Pro Tem Bob Watkins called the Worksession to order at 6:07 p.m. City Manager Keith Lane presented a review of the BISD "Stop Arm" Camera Program and a discussion was held in regard to the legalities of vehicle offenses, possible generated revenue, safety prevention, and city participation. Public Works Director Greg Van Nieuwenhuize provided information regarding mosquito aerial spraying by Tarrant County at a cost of \$1.89 per acre, equaling \$15,006 for the service, for 3 sprayings, at a total net of \$45,018. A discussion was held regarding the city's ground spraying, preventative measures resulting in negative mosquito test results, and neighboring cities' participation. There was no Executive Session. The Worksession was adjourned at 6:55 p.m.

**REGULAR MEETING**

**CALL TO ORDER**

Mayor Pro Tem Watkins called the meeting to order at 7:05 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/EVENTS**

Assistant City Manager Rex Phelps announced the following:

**Public Library**

**Family Movie Night** is Monday, September 12<sup>th</sup> at 6:30 p.m. featuring the movie "*The Angry Birds Movie*."

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

**Super Science Saturdays** are the first Saturday of each month. The theme is "Microscopes" for the class being held on Saturday, September 3<sup>rd</sup>, from 9 a.m. – 10:30 a.m. It is for ages 6 – 12 and is free. No registration is required.

**Bi-lingual Story Time** is every Wednesday from 10:30 – 11 a.m. It includes songs and stories in Spanish and English and a craft.

**Coloring and Cookies for Grownups** will hold its final class on Friday, September 2<sup>nd</sup> from 6:30 – 8 p.m. Materials are provided or you can bring your own.

**GED Study Classes** - Free GED classes are on Tuesdays, Wednesdays, and Thursdays from 5 – 8 p.m.

### **Community Projects**

**Keep Haltom City Beautiful** is hosting the Trinity Trash Bash on Saturday, October 1<sup>st</sup> from 10 a.m. – 2 p.m. The Trinity Trash Bash is a litter clean-up along a waterway at Buffalo Ridge Park. Free T-shirts for volunteers along with much more. Online registration will be available on the city website.

**Art in the City** is hosting "Fall Gallery Night 2016" on Saturday, September 10<sup>th</sup> from 1 – 7 p.m. Works of watercolors, acrylics, oils, mixed media, wood turning, pottery and gourd carving will be on display at the Haltom City Northeast Center. Other cities in Tarrant County will be participating. The locations and artistic works are on the city website.

**AirCheckTexas** - If your vehicles have failed the emissions portion of the state inspection in the past 30 days or are at least 10 years old, you may qualify for the Air Check Texas, Drive a Clean Machine Program. Administered locally by the North Central Texas Council of Governments (NCTCOG), AirCheckTexas provides qualifying motorists vouchers worth up to \$3,000 toward vehicle replacement (\$3,500 for hybrids and some other fuel-efficient models) or repair vouchers of up to \$600. There is more information on the city's website as well as a limited number of brochures at City Hall and Public Works.

**Voter Registration** - The last day to register to vote in this upcoming election is October 11, 2016. Voter registration cards are available at City Hall or you can register to vote online at [www.VoteTexas.gov](http://www.VoteTexas.gov). This website offers all the information you will need about voting, your polling place and more. The General Election will take place on Tuesday, November 8, 2016. Early voting will take place from October 24 - November 4, 2016.

### **PRESENTATIONS/PROCLAMATION**

Proclamation – "Blood Cancer Awareness Month" – There was no representative from the Leukemia and Lymphoma Society to receive the proclamation.

Donation of K-9 vests and Veterinarian Services – Police Chief Cody Phillips stated the Colleyville Rotary Club donated \$900 for a second K-9 vest and he also had a plaque for Sgt. Scott Russell and himself to present to Colleyville Rotary Club member Mark Bauer.

City Employee Longtime Service Award – Police Chief Cody Phillips presented a 20-Year Service Award to Police Officer Timothy Clontz, who expressed his thanks to Haltom City and also stated that through all his years of service, he had never witnessed any unprofessional behavior by a Haltom City police officer.

Chief Phillips also stated that a testing promotional process had been concluded and Sergeant Shawn Holt was promoted to Captain; Corporal Josh Boyd was promoted to Sergeant, and Corporal Ron Foreman was promoted to Sergeant.

### **REPORTS\***

1. **Monthly Financial Report for July 2016** – Review of the preliminary monthly Financial Report for the month ending July 31, 2016. Finance Director Jennifer Fung presented the monthly financial report which included the budgeted property tax that has been collected, and a discussion was held regarding the \$3.7 million payment to TxDOT for the Little Fossil Creek/Carson Street Bridge improvement.

## REGULAR AGENDA

2. **Minutes** – Consideration and/or action regarding approval of the Minutes for the August 15, 2016. Council Member Dr. An Truong moved, seconded by Council Member Jeannine Nunn, to approve the Minutes of August 15, 2016. ***The vote was unanimous. Motion carried.***
3. **Masonry Waiver Request (CV-001-16) B & S Fence Company-** Consideration and/or action to approve an application by Cruz Burciaga requesting to not provide the minimum masonry required on the exterior of a proposed 3,000 square-foot building to be located on Lot 1, Block 1 of the B and S Fence Addition, being approximately 0.948 acres located south of E. Belknap Street and west of Carson Street, locally known as 2813 Carson Street. Planning and Community Development Director Justin French presented the request and James Pliska, of James Pliska Consulting, provided additional documentation for neighboring property owner approval and estimated costs for masonry work. A discussion was held regarding masonry requirements and reasons for a variance. Mayor Pro Tem Watkins opened the Public Hearing at 8:18 p.m. on legal advice from City Attorney Wayne Olson and citizen Roy Sullen came forward to state that a metal building with proper construction does not necessarily require masonry to be appealing. No other citizen came forward. Mayor Pro Tem Watkins closed the Public Hearing at 8:26 p.m. Council Member Scott Garrett moved, seconded by Mayor Pro Tem Watkins, to approve the masonry waiver request (CV-001-16) - as the Council is making the findings set forth in the masonry ordinance for the approval of the variance. ***Mayor Pro Tem Watkins and Council Member Garrett voted aye. Council Members Nunn and Fowler voted nay. Council Members Grow and Truong abstained. Council Member Truong stated he had voted wrong and a vote recount was done. Mayor Pro Tem Watkins and Council Member Garrett voted aye. Council Members Nunn, Truong and Fowler voted nay. Council Member Grow abstained. Motion was denied.*** James Pliska, speaking on behalf of Cruz Burciaga, inquired if this item could be deliberated again when all members of the Council are present and was informed that all voting members needed for this item were available. Council Member Fowler moved, seconded by Council Member Truong, to deny masonry waiver request (CV-001-16) of B & S Fence Company, Carson Street property. ***Council Members Nunn, Fowler and Truong voted aye. Mayor Pro Tem Watkins and Council Member Garrett voted nay. Council Member Grow abstained. Motion carried.***
4. **FY2017 Tax Rate** – Conduct a public hearing regarding the FY2017 proposed tax rate. Finance Director Jennifer Fung presented the following tax rates: current tax rate - \$0.69999; proposed effective tax rate - \$0.64980; rollback tax rate - \$0.730408. Mayor Pro Tem Watkins opened the Public Hearing at 8:44 p.m. Citizen Ivelene Hays inquired of the effect of the different rates. No other citizen came forward. Mayor Pro Tem Watkins closed the Public Hearing at 8:47 p.m.
5. **Audit Committee Appointments** – Consideration and/or action regarding nominating and appointing members to the Audit Committee. Because of the absence of Mayor Averitt, the appointments will be made at the next meeting.

## VISITORS/CITIZENS FORUM

Citizen Don Lemaster inquired if the voting board indicator viewing screen to the audience citizens could be improved. No other citizen came forward.

**BOARDS/COMMISSIONS**

- 6. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members. There were no resignations.
- 7. **Appointment/Reappointment to Boards and Commissions** – Consider approval regarding appointments to Boards/Commissions. Council Member Garrett reappointed Cody Gamble to the Parks and Recreation Board. ***The reappointment was approved unanimously.***

**EXCUSED ABSENCE OF COUNCIL MEMBERS**

- 8. **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 the absence of Mayor David Averitt and Council Member Stephanie Davenport. ***The Council unanimously approved the absences.***

**EXECUTIVE SESSION**

The Council went into Executive Session at 8:52 p.m. regarding the following:

**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:

- 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

**Section 551.072 – Deliberations about Real Property**

Deliberation regarding the purchase, exchange, lease or value of real property.

**RECONVENE TO REGULAR SESSION**

- 9. The Council reconvened to Regular Session at 9:15 p.m. No action was taken.

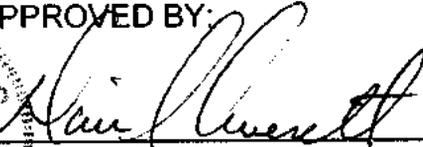
**ADJOURNMENT**

Mayor Pro Tem Watkins adjourned the meeting at 9:15 p.m.

RESPECTFULLY SUBMITTED BY \_\_\_\_\_ APPROVED BY:

  
\_\_\_\_\_  
Art Camacho, City Secretary



  
\_\_\_\_\_  
David Averitt, Mayor