A Regular Meeting by the City Council of the City of Haltom City, Texas, was held on February 26, 2018, 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 Dr. An Truong
Council Place 1 Jeannine Nunn    Council Place 2 Walter Grow
Council Place 3 Lin Thompson   Council Place 4 Trae Fowler
Council Place 5 Bob Watkins   Council Place 6 Ricky Brown

Staff Present: Keith Lane, City Manager; Rex Phelps, Assistant City Manager; Wayne Olson, City Attorney; Art Camacho, City Secretary; Glenna Batchelor, Planning and Community Development Director; Jennifer Fung, Finance Director; Fred Napp, Fire Marshal; Bobbi Arthur, Senior Citizens Director; Christi Pruitt, Parks and Recreation Director; Cody Phillips, Police Chief, and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER
Mayor Averitt called the Worksession to order at 6:07 p.m. City Manager Keith Lane introduced Hank Johnson, of Tarrant County College, who gave a PowerPoint presentation regarding educational data and the sharing of the Northeast Center with the Haltom City Senior Citizen. Senior Citizen Director Bobbi Arthur and Christi Pruitt, Parks and Recreation Director, also commented on the doubled use of the building. Public Works Director Greg Van Nieuwenhuize stated that an emergency underground cement repair was needed at a manhole location at the intersection of Denton Highway and Browning Street, and a contractor has been hired and the traffic will be rerouted. Council Member Thompson agreed to move her item concerning board/commission nepotism to the next meeting. The Worksession ended at 7:00 p.m. No Executive Session was held.

REGULAR MEETING

CALL TO ORDER
Mayor Averitt called the meeting to order at 7:15 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 – City Secretary Art Camacho read the following:

- The HC Public Library lists the children, teen and adult programs on the website.
- The Library will also include special activities for spring break.
- Friends of the Library will have its paperback book sales from 2/26/18 – 3/3/18.
- The Carson Street Closing will be closed for 7 months to a year.
- Registration for spring soccer, adult men’s and co-ed softball teams is until 3/3/18.
- Carfest will be held on Saturday, March 24 at the Haltom High School.
- The Parks and Rec Dept. extends thanks to all who contributed to the Stampede.

Council Member Watkins commented on a recent meeting with Haltom Middle School and their efforts to have community meetings involving students, parents and citizens.

PROCLAMATION – “Motorcycle Safety Awareness Month” – Leslye Dietrich. Police Chief Cody Phillips presented Ms. Dietrich with a proclamation proclaiming the month of March 2018 as “Motorcycle Awareness Month.”

REPORTS*

2. **CAFR Report** - Review of the 2017 CAFR Report. Finance Director Jennifer Fung presented a quick review of the 2017 CAFR report and Bryan Rebel, of Patillo, Brown, and Hill, L.L.P., also provided comment. A discussion was held regarding problems with prior audits and the efficiency of the current financial department.

**REGULAR AGENDA**

3. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of February 12, 2018. Mayor Pro Tem Truong moved, seconded by Council Member Thompson, to approve the Minutes of the February 12, 2018 Council meeting. The vote was unanimous. **Motion carried.**

4. **Ordinance No. O-2018-013-15 (Z-001-18)** – Conduct a Public Hearing and consideration and/or action regarding the application of Hassan Kallie for a Zoning Change request from “MF-2” Multiple Family Residential to “C-3” Commercial District located on approximately 1.019 acre tract of land situated in the I.N. Strapp Survey, Abstract No. 1422 and the J.N. King Survey, Abstract No. 897, Tarrant County, Texas and being a portion of that certain tract of land conveyed by deed to Hunt Investment Corporation, recorded in Volume 5688, Page 868, said County Records, locally known as 5960 North Beach Street. 1st Reading. Planning and Community Development Director Glenna Batchelor presented the ordinance and property owner Hassan Kallie addressed the Council regarding his potential property use and his desire to see a nursery commercial property instead of a multi-family residential building. Mayor Averitt opened the Public Hearing at 8:05 p.m. and the following persons came forward:
   1. Kyle Smith – Stated, as a P&Z Member, that this ordinance would impede on the neighboring residents and the P&Z already voted to refuse commercial zoning.
   2. Bill Dunn – Assumed the city owned the property and was surprised when the owner wanted to change the zoning to C-3, but felt it should be a Planned Development.
   3. Karen and Clark Welborn – Stated a business could possibly change the natural ecosystem with regard to erosion and a Planned Development is needed.
   4. Chuck Barkman – Provided a history of purchase history and stated a park is a draw for some individuals to purchase homes in the area.
   5. Ted Olson – Spoke on behalf of Mr. Kallie and his quality property development.
   6. Sandy Lottes – Stated that Mr. Kallie will supply adequate plans if it is decided to be changed to a Planned Development.
   7. Cara Covey – Stated the neighborhood is attractive because of the park and desires a Planned Development and that they would work with Mr. Kallie.
   8. Jennifer Alcon – Stated there is almost no retail in this location and Mr. Kallie didn’t contact any of the residents who received a letter from the Planning Department. Mayor Averitt closed the Public Hearing at 8:35 p.m. A discussion was held regarding the percentage of voting on this issue and what would be the circumstances for the applicant to approach the P & Z again on either a C-3 or a Planned Development.
   Council Member Fowler moved, seconded by Mayor Pro Tem Truong, to deny without prejudice (Ordinance No. O-2018-013-15) Z-001-18 – first reading - and allow the applicant to reapply prior to the one year period. The vote was unanimous. **Motion carried.**

5. **Ordinance No. O-2018-014-15 (Z-002-18)** – Conduct a Public Hearing and consideration and/or action to approve the application of Hudson’s Mobile Glass Service, Inc. for a Zoning Change request from “C-3” Commercial District to “PD-C3 Planned Development for all “C-3” uses plus Pawn Shop located on Lot 4 W54’3, Block 3, Earles Addition, being approximately 0.3928 acres located north of NE 28th Street and east of Harris Lane, locally known as 4803 NE 28th Street (TAD shows 4807 NE 28th Street). 1st Reading. Planning and Community Development Director Glenna
Batchelor presented the ordinance. A discussion was held regarding the number of pawn shops and whether additional shops would be forthcoming in the area. Mayor Averitt opened the Public Hearing at 8:40 p.m. Kevin Smith came forward and stated the Hudson business has been in Haltom City for a long time and the new property owner has complied with the requirements and was approved unanimously by the Planning and Zoning Commission. No other person came forward. Mayor Averitt closed the Public Hearing at 8:43 p.m. Council Member Grow moved to deny Ordinance No. O-2018-014-15. The motion died for lack of a second. Mayor Pro Tem Truong moved, seconded by Council Member Thompson, to approve Ordinance No. O-2018-014-15 (Z-002-18) – zoning change from “C-3” to “PD-C3” – for all “C-3” uses plus Pawn Shop located on Lot 4 W54’3, Block 3, locally known as 4803 NE 28th Street in Haltom City, Texas - first reading. A discussion was held regarding approval condition of the exclusive use only by Cash America International, Inc., which was approved by the P&Z. Council Member Grow stated Item #2 of the conditions would need to change “Cash America International, Inc.” to First Cash Pawn and a discussion was held concerning whether the major company would be able to change companies and policies on an established pawn business. Council Member Grow also stated that a new pawn shop business will be operating soon off Beach Street and they are major fronts for stolen property. Mayor Pro Tem Truong and Council Members Nunn, Thompson, Fowler, Watkins, and Brown voted aye. Council Member Grow voted nay. Motion carried.

6. **Ordinance No. O-2018-012-15 CU-001-18** – Conduct a Public Hearing and consideration and/or action on an application of Danny Tarron on behalf of Ron Sturgeon Real Estate requesting approval of a Conditional Use Permit for tattoo studio use in the “PD-C2” Planned Development – Commercial District for all C2 Commercial District uses, containing approximately 1,937 square feet of lease space on Lot 1, Block 1 of the Family Furniture Addition, being approximately 4.03 acres east of Denton Highway and South of Bonner Drive, locally known as 5230 Suite 20 Denton Highway. **1st Reading.** Planning and Community Development Director Glenna Batchelor presented the ordinance and a discussion was held regarding the specific use of the building’s business tenant spaces. Mayor Averitt opened the Public Hearing at 8:56 p.m. (1) Kyle Smith came forward and stated that he has tattoos and the quality of this business at Arlington is very good. (2) Darren and Lisa Tarron stated they have over 25 years of experience together, are wanting to change the stigma of tattoo studios, and will hold high standards of professionalism, even refusing clients if needed. (3) Jim Eaton, who is representing building owner Ron Sturgeon, stated that they were apprehensive toward a providing a lease to tattoo studios, but reconsidered once they reviewed their business proposal. No other person came forward. Mayor Averitt closed the Public Hearing at 9:05 p.m. Council Member Brown moved, seconded by Council Member Grow, to approve Ordinance No. O-2018-012-15 (CU-001-18) for the “PD-C2” – first reading. **The vote was unanimous. Motion carried.**

7. **Replat P-002-18** – Conduct a Public Hearing and consideration and/or action on an application of Robert Fisher, Sovran Acquisition Limited Partnership, for approval of a replat creating Lot 2-A, Block 1 of the Richmond Addition from Lot 2-R, Block 1 of the Richmond Addition, located in a Planned Development District with C-3 Commercial District zoning, containing approximately 2.368 acres, locally known as 4820 Western Center Boulevard. Planning and Community Development Director Glenna Batchelor presented the application. Mayor Averitt opened the Public Hearing. No one came forward. Mayor Averitt closed the Public Hearing. Council Member Grow moved, seconded by Council Member Nunn, to approve Replat P-002-18. **The vote was unanimous. Motion carried.**
8. **FY 2016 AFG Grant** – Consideration and/or action to authorize the Fire Chief to execute an agreement for the city’s participation with the FY 2016 AFG funds. Fire Marshal Fred Napp presented the grant and a discussion was held if whether other neighboring communities were using this system. Council Member Thompson moved, seconded by Council Member Nunn, to approve the FY 2016 AFG Grant and authorize the Fire Chief to execute an agreement for the city’s participation with the FY 2016 AFG funds. *The vote was unanimous. Motion carried.*

**VISITORS/CITIZENS FORUM**

No citizen came forward.

**FUTURE AGENDA ITEMS**

9. Discussion on items to be placed on future agendas. No item was presented.

**BOARDS/COMMISSIONS**

10. **Resignations of Board/Commissions/Committee Members** – Consider approval of the resignations of Board/Commission/Committee Members. There were no resignations.

11. **Appointment/Reappointment to Boards/Commissions/Committees** – Consider approval regarding appointments to Boards/Commissions/Committees. There were no appointments.

**EXCUSED ABSENCE OF COUNCIL MEMBERS**

12. **Attendance Requirements** – Consideration regarding excused absences of Council Members according to Article III, Sec. 3.07 (a). Attendance Requirements of the Haltom City Charter. There were no absences.

The Council went into Executive Session at 9:12 p.m.

**EXECUTIVE SESSION**

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, dissolution/restructuring of the Haltom City Economic Development Corporation, and pending litigation and settlement offers for the following cases:

- Flynn v. Haltom City EDC
- James H. Watson v. City of Haltom City
- Amer Ozzie v. City of Haltom City
- Ray Beshirs v. City of Haltom City
- City of San Antonio v. Hotels.com, L.P.
- Nicklaus Forrest v. City of Haltom City

**Section 551.072 – Deliberations about Real Property**

Deliberation regarding the purchase, exchange, lease or value of real property, and property owned or leased by the City and the EDC, including city buildings.

**RECONVENE TO REGULAR SESSION**

The Council reconvened at 9:39 p.m. No action was taken. Mayor Averitt stated he will appoint Linda Thompson as the City Council Liaison with the Fire Services Board at the next meeting.
ADJOURNMENT
Mayor Averitt adjourned the meeting at 9:39 p.m.

RESPECTFULLY SUBMITTED BY:  APPROVED BY:

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Art Camacho, City Secretary  David Averitt, Mayor