A Regular Meeting by the City Council of the City of Haltom City, Texas, was held on June 11, 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 Brent Weast
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; Jennifer Fung, Finance Director; Glenna Batchelor, Planning and Community Development Director; Perry Bynum, Fire Chief; Cody Phillips, Police Chief; Janet Carver, Purchasing Agent; Sidonna Foust, Customer Service Director, and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER
Mayor Averitt called the Worksession to order at 6:00 p.m. Jason Bethke, of Fathom, presented an update regarding the water meter exchange, customer service data, and other positive points that are occurring as the program continues. A discussion on donation procedures, portal features, and increases in costs from the City of Fort Worth and Waste Connection was held. Police Chief Cody Phillips provided an Animal Shelter Report which included current data on services with dogs, cats (feral and tame) and service calls. A discussion was held regarding the determination of the health of the animals and the availability of the staff personnel. Jenna Robinson and Phoebe Hawkins, of Life Care Center of Haltom, gave a verbal presentation concerning their senior care center business and their quality management and nursing.

Mayor Averitt closed the Worksession at 7:00 p.m. and called for a brief recess. No Executive Session was held.

REGULAR MEETING

CALL TO ORDER
Mayor Averitt called the meeting to order at 7:20 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE
Council Member Walter Grow introduced the Haltom City Chorale, who sang “America the Beautiful” and he 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 Carson Street Closing will be closed for at least five months.
- Jr. Fire Camp will be held July 23rd – 27th with online registration required.
- Ladies Night Out will be August 11th and tickets are available.
- National Flag Day will be celebrated on June 14th.
- Senior Center will celebrate Father’s Day on June 15th.
- CERT thanked everyone who assisted on their annual Water Drive.

PRESENTATION – Bobbi Arthur, Senior Citizen Center Director, presented a “Certificate of Recognition” to Nedra Cutler, of Meals on Wheels, for her 39 years of service.

REGULAR AGENDA
1. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of May 14, 2018 and May 21, 2018. Council Member Weast moved, seconded by Council Member Thompson, to approve the Minutes of May 14, 2018 and May 21, 2018. **The vote was unanimous. Motion carried.**

2. **Ordinance No. O-2018-019-15 (Z-003-18)** - Consideration and/or action on the Robert R. Lubega on behalf of Texacare Home Services, LLC for a Zoning Change request from “C-3” Commercial District to “SF-2” Single Family Residential District located on Block 2, Lot 5 of Shady Dell Addition being approximately 0.1721 acres of land, locally known as 2017 Owens Street. **2nd Reading.** Planning and Community Development Director Glenna Batchelor presented the second reading of the ordinance. No discussion was held. Council Member Brown moved, seconded by Council Member Nunn, to approve Ordinance No. O-2018-019-15 (Z-003-18) – on the Robert R. Lubega on behalf of Texacare Home Services. **The vote was unanimous. Motion carried.**

3. **Mayor Pro Tem** – Consideration and/or action regarding election of the Mayor Pro Tem. Mayor Averitt moved this item for deliberation until after the Executive Session.

4. **Compact Excavator and Attachments Purchase** – Consideration and/or action to approve the $73,981.16 purchase of a compact excavator with attachments through RDO Equipment Co. using their Buyboard contract. Public Works Director Greg Van Nieuwenhuize and Purchasing Agent Janet Carver presented the purchase request. A discussion was held regarding the warranty, funding, equipment mobility, and versatile uses. Council Member Grow moved, seconded by Council Member Thompson, to approve the purchase of a compact excavator with attachments for the price of $73,981.16. **The vote was unanimous. Motion carried.**

5. **Replat (P-005-17)** – Conduct a public hearing and consider action on the application of Don Denman of Denman Construction for a replat creating Lot 1, Block 1 of the Denman Addition replat from Lots 3-5 of Block 29, Lot 1-3 of Block 30, A1424 TR 2D and Lot 6R of Block 29 out of the Watauga Addition, located in the “M-1” Industrial District and “M-2” Heavy Industrial District, containing approximately 2.13 acres, locally known as 6001 and 6035 Huddleston Street. Planning and Community Development Director Glenna Batchelor presented the replat and Mayor Averitt opened the Public Hearing at 7:41 p.m. No one came forward. Mayor Averitt closed the Public Hearing at 7:42 p.m. Mayor Pro Tem Truong moved, seconded by Council Member Nunn, to approve Replat (P-005-17) – located 6001 and 6035 Huddleston Street. **The vote was unanimous. Motion carried.**

**VISITORS/CITIZENS FORUM**

1. Trae Fowler came forward and asked several questions regarding the Drainage Fees, including the amount of revenue, specific uses of the funds, and the possibility of getting a referendum on the removal of the fees to lower water billing for citizens.

2. John Pelzel requested Code Enforcement be directed to his neighbor’s house at 3800 Haltom Road in regard to the high grass, house condition, and property trash.

**FUTURE AGENDA ITEMS**

Discussion on items to be placed on future agendas. No item was presented specifically at this time, but several items for discussion were mentioned to be put in the Worksession, which included drainage fees, code compliance, and the Comprehensive Land Use Plan (CLUP). The Council raised the discussion of how severe a background check is made regarding board or commission applications. City Secretary Art Camacho stated that currently no background check regarding the applicant information is made, but that it is accepted through
an honor system. The subject of adding a voter identification number on the application and a pre-interview was discussed. The Council agreed to place this on the Worksession for the next meeting.

**BOARDS/COMMISSIONS**

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

8. **Appointment/Reappointment to Boards/Commissions/Committees** – Consider approval regarding appointments to Boards/Commissions/Committees.

Mayor Averitt requested that before any motions be made for appointments for the EDC, the Council may consider it after the Executive Session.

The following appointments were made:

1. Council Member Weast: Beautification Board – Denise Ford; CCPD and Red Light Camera – Beverly Henson; Library – Teresa Cabano; Parks and Recreation Board – Don Cooper; ZBA – Willis O’Dell. **The appointments were unanimously approved.** Council Member Weast continued his appointments: Fire Services Board – Chris Bethel; Planning and Zoning – Steve Chapman to Place 4; Kelli Stallings to Alternate. **The appointments were unanimously approved.** Council Member Weast also stated he would keep Colton Hudson’s appointment active.

2. Council Member Thompson: Bob Presley – Beautification Board; Cody Gambill – Parks and Recreation Board. **The appointments were unanimously approved.**

3. Council Member Nunn: George Coffman – Fire Services Board. **The appointment was unanimously approved.**

4. Mayor Averitt: Kelli Stallings – Planning and Zoning Alternate. **The appointment was unanimously approved.**

**EXCUSED ABSENCE OF COUNCIL MEMBERS**

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

Mayor Averitt called for an Executive Session at 8:10 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, city charter limitations, 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
- 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.

Section 551.074 – Personnel
Deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee and/or hear a complaint or charge against an officer or employee, including individual city council members.

City Manager Keith Lane, Assistant City Manager Rex Phelps, and City Secretary Art Camacho were requested to leave the Executive Session at 8:33 p.m. Mayor Averitt was requested to leave at 8:55 p.m.

RECONVENE TO REGULAR SESSION

10. Take any action deemed necessary as a result of the Executive Session. The Council reconvened at 9:47 p.m. with the following:

1. Council Member Grow moved, seconded by Council Member Thompson, to state that during deliberation in regard to a personal matter of ethics violation of a transaction between the Mayor with Karmali Holdings and Haltom Holdings, the Council has determined that the Mayor may have acted with poor judgement in not disclosing prior to the meeting with the Economic Development Corporation with Al Karmali and his property holdings on North Loop 820 and Old Denton Road, but the Mayor did not commit a violation of ethics and the matter is considered closed in lieu of a vote. **The vote was unanimous. Motion carried.**

2. Council Member Grow moved, seconded by Council Member Weast, to direct the City Manager and City Attorney to proceed with the process for dissolving the EDC. **Mayor Pro Tem Truong and Council Members Grow, Thompson and Weast voted aye. Council Members Nunn, Watkins, and Brown voted nay. Motion carried.**

   In regard to Agenda Item #3 – Mayor Pro Tem, the Council proceeded with the following:

3. Council Member Thompson moved, seconded by Council Member Weast, to appoint Dr. An Truong to Mayor Pro Tem. Council Member Brown made a substitute motion, seconded by Council Member Watkins, to appoint Jeannine Nunn to Mayor Pro Tem. **On the substitute motion, Council Members Brown, Watkins and Nunn voted aye. Mayor Pro Tem Truong and Council Members Grow, Thompson and Weast voted nay. Motion denied. On the original motion, Mayor Pro Tem Truong and Council Members Grow, Thompson and Weast voted aye. Council Members Nunn, Watkins, and Brown voted nay. Motion carried.** Dr. An Truong gave thanks to the Council and stated his commitment to serving in the office of Mayor Pro Tem.

4. Council Member Thompson moved, seconded by Council Member Weast, to appoint Walter Grow to the EDC. Council Member Brown made a substitute motion, seconded by Council Member Watkins, to appoint Jeannine Nunn to the EDC. **On the substitute motion, Council Members Brown, Watkins and Nunn voted aye. Mayor Pro Tem Truong and Council Members Grow, Thompson and Weast voted nay. Motion denied. On the original motion, Mayor Pro Tem Truong and Council Members Grow, Thompson and Weast voted nay. Motion carried.** Council Member Grow was appointed to the EDC.

ADJOURNMENT

Mayor Averitt adjourned the meeting at 9:57 p.m.
RESPECTFULLY SUBMITTED BY:  

Art Camacho, City Secretary

APPROVED BY:  

David Averitt, Mayor