A Regular Meeting by the City Council of the City of Haltom City, Texas, was held on August 13, 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; Cody Phillips, Police Chief; Glenna Batchelor, Planning and Community Development Director; Christi Pruitt, Parks and Recreation Director, Sidonna Foust, Customer Service Director; Toni Beckett, Human Resources and Risk Management Director, and Perry Bynum, Fire Chief.

CALL TO ORDER
Mayor Averitt called the Worksession to order at 6:05 p.m. Human Resources and Risk Management Director Toni Beckett presented her PowerPoint program that included employee compensation and benefits. A discussion was held regarding Public Works employees criteria and certification, along with possible raises and part-time worker raises. Christi Pruitt, Parks and Recreation Director, presented a PowerPoint that included a need for a Parks Supervisor, reclassifications, roof repair, irrigation problems, and equipment needed for the Senior Center. Mayor Averitt closed the Worksession and called for an Executive Session at 6:41 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, code of ethics and conflicts of interest, city charter limitations, dissolution/restructuring of the Haltom City EDC, selection process for design/construction of Fire Station 3, external investigation concerning the Fire Department, and pending litigation and settlement offers for the following cases:
- Flynn v. Haltom City EDC
- James H. Watson v. City of Haltom City
- Ray Beshirs v. City of Haltom City
- Nicklaus Forrest v. City of Haltom City
- Amer Ozzie 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.
Mayor Averitt closed the Executive Session at 7:00 p.m. and called for a short recess.
REGULAR MEETING

CALL TO ORDER
Mayor Averitt called the meeting to order at 7:14 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE
Council Member Bob Watkins requested Assistant City Manager Rex Phelps to give the Invocation and lead the Pledge of Allegiance and the Texas Flag Pledge. Mayor Averitt moved the Proclamation ahead of the Announcements/Events agenda item.

PROCLAMATION – HC Girls Softball Teams – USSA World Series Champions. Parks and Recreation Director Christi Pruitt presented a Certificate of Recognition each to both the “Illicit” and “Bad Pitches” girls softball teams.

ANNOUNCEMENTS/EVENTS – City Secretary Art Camacho read the following:
- The HC Public Library lists the children, teen, and adult programs on the website.
- The HC Public Library is hosting its 10-year birthday party on September 4th.
- The Carson Street Closing will be closed for at least three to four months.
- Refresh BISD will be Saturday, Aug. 18th and pre-registration online is required.
- Buff Night is Friday, August 17th at Haltom High School.
- “Clear the Shelter” is Saturday, August 18th at the Animal Services Center.
- KHCB Article in the Crossroads for October 6th is not accepting electronic recycling.

Marilyn Ackman, of Atmos Energy, announced her retirement and introduced her replacement, Darwin Winfield.

REPORTS – Fire Department Update
1. Fire Chief Perry Bynum presented the fire department statistical data, prevention measures, and projects. A discussion was held regarding the hazardous condition no-fire information, emergency response times, and citizen-involvement groups.

REGULAR AGENDA
2. Minutes – Consideration and/or action regarding approval of the Minutes of the meeting of July 9, 2018 Meeting, the July 16, 2018 Joint Meeting, July 23, 2018 Meeting, and the July 30, 2018 Special Budget Meeting. Mayor Pro Tem Truong moved, seconded by Council Member Thompson, to approve the Minutes of July 9, 2018, July 16, 2018, July 23, 2018, and July 30, 2018. The vote was unanimous. Motion carried.

3. Property Tax Rate – Conduct a public hearing and consideration and/or action on a Record Vote for setting the Preliminary Tax Rate for the FY2019 budget. Finance Director Jennifer Fung presented the tax rate data for the rollback rate, current rate, and the effective tax rate. A discussion was held regarding an adequate tax rate to meet the budget needs and city progression. Mayor Averitt opened the Public Hearing at 7:44 p.m. Citizen Cody Gambill stated that he felt a tax rate is needed to meet the needs of the city, but that the Council should work also to cut unnecessary spending. No other citizen came forward. Mayor Averitt closed the Public Hearing at 7:46 p.m. Council Member Grow moved, seconded by Council Member Weast, to adopt the rollback tax rate of $0.689261/$100 – and to not go above this rate, in addition to having two public hearings – one for August 20, 2018 and August 27, 2018. The vote was unanimous. Motion carried.

4. CCPD Budget - Conduct a public hearing on the FY2019 Proposed budget and subsequent to the public hearing approve the FY2019 CCPD budget. Finance Director Jennifer Fung presented the information regarding the FY2019 Crime Control and Prevention District (CCPD) budget. Mayor Averitt opened the Public Hearing at 7:54 p.m. No one came forward. Mayor Averitt closed the Public Hearing at 7:55 p.m. Council Member Grow
moved, seconded by Mayor Pro Tem Truong, to approve the FY2019 CCPD budget. The vote was unanimous. Motion carried.

5. **Ordinance No. O-2018-026-03 – Issuance of GO Bonds 2018** – Consideration and/or action to approve the issuance of “City of Haltom City, Texas General Obligation Bonds, Series 2018” - **First and Only Reading.** Finance Director Jennifer Fung introduced Anthony Friedman, of SAMCO Capital Markets, who then presented the bond information regarding the previous process of the GO Bonds, the total bond package, and the bid proposal information. Mayor Pro Tem An Truong moved, seconded by Council Member Grow, to approve Ordinance No. O-2018-026-03 – Issuance of Haltom City, Texas General Obligation Bonds - Series 2018 – first and only reading. The vote was unanimous. Motion carried.

6. **Ordinance No. O-2018-023-15 (CU-006-18)** – Consideration and/or action on the application of Mohammed Thabata for approval of a Conditional Use Permit for tire and battery sales store uses and auto dealer – new and used in the “M-2” Heavy Industrial District located on Lot AR1, Block 1 of the ADCO Subdivision, being approximately 0.3333 acres on the west side of Denton Highway, locally known as 5711 Denton Highway. **1st Reading.** Planning and Community Development Director Glenna Batchelor presented the ordinance and a discussion was held regarding the denial by the P & Z Commission, the size and location of the lot, area tire sales, and voting criteria for passage. Jordan Mosely came forward to answer questions for Mohammed Thabata. Mayor Averitt opened the Public Hearing at 8:22 p.m. and the following individuals came forward:
   1. Sherry Thompson – Stated the businesses down Belknap and 28th Street were more in need of remodeling and this business would help the local economy.
   2. Rhett Gum – Supported the requestor to begin the business.
   3. Cody Baggett – Stated there were too many tire shops within the area.
Mayor Averitt closed the Public Hearing at 8:24 p.m. A discussion was held regarding the voting needed for passage. Council Member Grow moved, seconded by Council Member Weast, to deny the denial by the Planning and Zoning Commission (approving Ordinance No. O-2018-023-15 – CU-006-018) and allow no auto sales on the property. The vote was unanimous. Motion carried.

7. **Mutual Aid Agreements** – Consideration and/or action regarding the approval of Resolution No. R-2018-007-05 - agreements for mutual aid fire protection and emergency medical services and Tarrant County Arson mutual aid agreement. Fire Chief Perry Bynum and Fire Marshal Dr. Fred Napp presented the agreements and a discussion was held regarding the benefits of mutual aid between cities. Council Member Nunn moved, seconded by Council Member Thompson, to approve Resolution No. R-2018-007-05 – approval for the agreements for mutual aid fire protection and emergency medical services and Tarrant County Arson mutual aid agreement. The vote was unanimous. Motion carried.

8. **Charter Review Committee** – Consideration and/or action regarding approval of Resolution No. R-2018-008-01 – establishing a Charter Review Committee. Council Member Thompson stated that after the Council’s last discussion, she would like to have the Council form a committee to review the City Charter in its entirety. A discussion was held regarding the timeline, number of charter committee members, and the posting of meetings. Mayor Pro Tem An Truong moved, seconded by Council Member Thompson, to approve Resolution No. R-2018-008-01 – establishing a Charter Review Committee. The vote was unanimous. Motion carried.
9. **Termination of EDC** – Consideration and/or action regarding approval of Resolution No. R-2018-012-01 - terminating the Haltom City Economic Development Corporation. Council Member Grow presented his reasons for the terminating of the EDC, which included the current lawsuit, erroneous political linkage, and the holding of properties available for sale. A discussion was held to provide for a longer deadline for termination, allowing the EDC members to work toward the dissolution, and have the ½ cent sales tax originally collected for the EDC removed from the current city sales tax. After another discussion, Mayor Averitt opened a Public Hearing on this item at 8:51 p.m. Trae Fowler came forward and commented on the citizen’s lack of choice for sales tax reduction in regard to the dissolving of the ½ cent EDC tax in the May 2016 Special Election and the current increases in water rates and property tax increases. Wesley Hart came forward also and commented on the number of Council members on the EDC and the value of the citizen members in assisting the EDC on decisions. Mayor Averitt closed the Public Hearing at 8:57 p.m. Council Member Grow moved, seconded by Mayor Pro Tem Truong, to approve Resolution No. R-2018-012-01 for the termination of the Haltom City Economic Development Corporation, set for October 1, 2018. Council Member Nunn – on an alternate motion – moved, seconded by Council Member Brown, to postpone the termination until May 2019. **On the alternate motion, Council Members Nunn, Brown, and Watkins voted aye. Mayor Pro Tem Truong and Council Members Grow, Thompson, and Weast voted nay. Motion denied.** On Council Member Grow’s original motion, Mayor Pro Tem Truong and Council Members Grow, Thompson, and Weast voted aye. **Council Members Nunn, Brown, and Watkins voted nay. Motion carried.**

Mayor Averitt called for a recess at 9:10 and then for an Executive Session. The Council returned to Regular Session at 10:22 p.m.

**VISITORS/CITIZENS FORUM**

The following citizens came forward:

1. Don Cooper – Addressed Council on the Fathom water bill problems and asked for both the Council and citizens to work toward a peaceful solution.
2. Mark Webb – Deferred his speaking time to Sandy Webb, who complained about the billing her mother received from Fathom; in addition, she inquired of the possible use of city vehicles by Fathom employees and referenced the 2004 City Recall as a means to determine elected officials service time.
3. Kyle Smith – Expressed his displeasure with the Council and Fathom, the manner to rescind the contract, test requirements for water lines, and community leadership.
4. Mary Hunter – Stated the citizens protest will remain persistent, inquired of the metering of city facilities, and presented the Council with the possibility of a recall.
5. Stacey Corbin – Stated the Council didn’t vote intentionally to hurt the citizens, requested calibration test results for the new meters, requested access to funding utility, inquired of hydrant flushing, unmetered water usage, and water billing constraints.
6. Sandy Hunter – Deferred to Daren Hudson – Requested date of another Town Hall meeting, felt the Council was unfriendly toward citizens at the Town Hall meeting, stated the Council is held accountable and changes could be happening next May.
7. Will O’Dell – Stated elderly people were hurt the most by Fathom, Council was disrespectful to the citizens, and the Council needs to solve the problem.

10. **FUTURE AGENDA ITEMS**

Discussion on items to be placed on future agendas.
No new items were considered.
11. **Resignations of Board/Commissions/Committee Members** – Consider approval of the resignations of Board/Commission/Committee Members. There were no resignations.

12. **Appointment/Reappointment to Boards/Commissions/Committees** – Consider approval regarding appointments to Boards/Commissions/Committees. Council Member Brown appointed Ruby Labeau to the Beautification Board. **The vote was unanimous and the appointment approved.** Council Member Thompson requested transferring Chris Bethel from the Fire Services Board to the Planning and Zoning Commission. **The vote was unanimous and the transfer approved.** Mayor Averitt appointed Council Member Nunn as the Board Liaison to the Parks and Recreation Board. **The vote was unanimous and the appointment approved.**

**EXCUSED ABSENCE OF COUNCIL MEMBERS**

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

**RECONVENE TO REGULAR SESSION**

14. Take any action necessary as a result of the Executive Session. No action was taken.

**ADJOURNMENT**

Mayor Averitt adjourned the meeting at 10:52 p.m.

RESPECTFULLY SUBMITTED BY: 

APPROVED BY:

_________________________________  __________________ _____________

Art Camacho, City Secretary  David Averitt, Mayor