A Regular Meeting by the City Council of the City of Haltom City, Texas, was held on August 27, 2018, at 7:00 p.m. at City Hall, 5024 Broadway Avenue, Haltom City, Texas, with the following members present:
Mayor David Averitt
Council Place 1 Jeannine Nunn
Council Place 3 Lin Thompson
Council Place 5 Bob Watkins
Mayor Pro Tem Dr. An Truong
Council Place 2 Walter Grow
Council Place 4 Brent Weast
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; Sidonna Foust, Customer Service Director; Toni Beckett, Human Resources and Risk Management Director; Perry Bynum, Fire Chief, and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER

Mayor Averitt called the Worksession to order at 6:05 p.m. City Attorney Wayne Olson gave a presentation regarding the Open Meetings Act and the Public Information Act to both the Council and citizens.

Mayor Averitt closed the Worksession and called for an Executive Session at 6:40 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, Chapter 380 Agreement with Haltom Hospitality, LLC, selection process for design/construction of Fire Station 3, amending and repealing city ordinances, 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 7:12 p.m.
INVOCACTION/PLEDGE OF ALLEGIANCE
Council Member Ricky Brown 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 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.
- The Soccer Registrations have been extended through Sept. 1st.
- The Refresh BISD program was a huge success and data was provided.
- The Sept. 11th Ceremony will be held at the Veterans Memorial.
- City facilities will be closed Monday, September 3rd for Labor Day.
- The Fire/Police Dept. Jr. Camp personnel were thanked and a video was presented.
- A Fire Dept. Call video was also presented.

Fire Chief Perry Bynum presented Fire Marshal Fred Napp with his National Fire Academy degree, who also thanked the Fire Department and Haltom City for their cooperation.

PROCLAMATION – “Hunger Action Month” – Assistant City Manager Rex Phelps presented the proclamation to Katherine Randall, of the Tarrant Food Bank, who also thanked Haltom City for their support.

REPORTS – Monthly Financial Report
1. Finance Director Jennifer Fung presented the monthly report, which included an increase in sales tax revenue. No discussion was held.

REGULAR AGENDA

2. Minutes – Consideration and/or action regarding approval of the Minutes of the August 6, 2018 Budget Meeting, the August 7, 2018 Town Hall meeting, and the August 13, 2018 Regular Meeting. Mayor Pro Tem Truong moved, seconded by Council Member Thompson, to approve the minutes of August 6, 2018, August 7, 2018, and August 13, 2018. The vote was unanimous. Motion carried.

3. 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 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. 2nd Reading. Planning and Community Development Director Glenna Batchelor presented the ordinance and Jordan Mosely, property owner, answered questions regarding the repainting of the building. Council Member Nunn moved, seconded by Council Member Grow, to approve Ordinance No. O-2018-023-15 (CU-006-18) on its second reading. The vote was unanimous. Motion carried.

Mayor Averitt moved Agenda Items #8, #9 and #10 forward at this time.

8. Replat (P-009-18) - Conduct a public hearing and consider action on the application of Pedro Alvarado for approval of a replat creating Lot 2R1 out of the Forman Subdivision-Haltom City Lot 2N1/3 2 located in the “SF-1” Single Family Residential District containing approximately 0.1859 acres of land, locally known as 2324 Harris Lane. Planning and Community Development Director Glenna Batchelor presented the Replat. 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. Council Member Grow moved, seconded by Council Member Thompson, to approve Replat (P-009-18). The vote was unanimous. Motion carried.

9. Preliminary Plat (P-0011-18) - Conduct a public hearing and consider action on the application of Jerry Weakley for approval of a Preliminary Plat creating the Weakley...
Addition, Lot 1, Block 1, being all of a 0.710 acres tract of land out of the J. Matthews Survey, Abstract No. 1051, as described in deed of recorded in instrument No. D217261008, located in the M-1 Industrial District, locally known as 3901 Old Denton Road. Planning and Community Development Director Glenna Batchelor presented the Preliminary Plat and property owner Jerry Weakley was also available. Mayor Averitt opened the Public Hearing at 7:47 p.m. for both the Preliminary and Final Plat. No one came forward. Mayor Averitt closed the Public Hearing at 7:48 p.m. Council Member Thompson moved, seconded by Council Member Weast, to approve Preliminary Plat (P-011-18), located at 3901 Denton Road. The vote was unanimous, with Council Member Grow abstaining. Motion carried.

10. **Final Plat (P-0012-18)** - Conduct a public hearing and consider action on the application of Jerry Weakley for approval of a Final Plat creating the Weakley Addition, Lot 1, Block 1, being all of a 0.710 acres tract of land out of the J. Matthews Survey, Abstract No. 1051, as described in deed of recorded in instrument No. D217261008, located in the M-1 Industrial District, locally known as 3901 Old Denton Road. Planning and Community Development Director Glenna Batchelor presented the Final Plat and Mayor Averitt had opened the Public Hearing at 7:47 p.m. for both the Preliminary and Final Plat. No one came forward. Mayor Averitt closed the Public Hearing at 7:48 p.m. Mayor Pro Tem Truong moved, seconded by Council Member Weast, to approve Final Plat (P-0012-18), located at 3901 Denton Road. The vote was unanimous, with Council Member Grow abstaining. Motion carried.

Mayor Averitt went back to continue at Agenda Item #4.

4. **Proposed FY2019 Budget** – Conduct a public hearing and consideration and/or action regarding approval of Ordinance No. O-2018-024-03 adopting the proposed FY2019 budget. 1st Reading. Finance Director Jennifer Fung presented the ordinance and a discussion was held regarding the salary and market comparison for employees, neighboring tax ranges, specific increased budget items, and the vote process. Mayor Averitt opened the Public Hearing at 8:26 p.m. and the following individuals came forward:

1. Jack Lewis – Thanked Public Works and mentioned the salary ranges, storm water drainage fee, and the Senior Property Tax.
2. Ronald Eakin – Stated he was not in favor of a rate over the effective tax rate, but approves whatever rate is needed to keep city streets in full maintenance.
3. Trae Fowler – Inquired of assorted revenues and increases to the fund balance, based percentage toward property tax in line with effective tax rate, prior EDC funds now being distributed to sales tax, and accounting for funds from job positions that were left.
4. Cody Gambill – Stated city is in need of quality businesses and used Lake Worth as an example of proper expansion and growth.
5. Stacey Corbin – Stated many residents live below poverty level; many businesses are looking for low property taxes; police can save money with different vehicles; the difference in the raise percentage can go toward bonuses; EDC funding can go toward paying off debt.

Council Member Watkins added that the Storm Water fee was implemented for all water customers, including churches and schools, to pay toward it. Mayor Averitt closed the Public Hearing at 8:48 p.m. and called for a short recess at 8:50 p.m. The Council returned to the Regular Session at 9:04 p.m. Council Member Nunn requested another budget meeting for the Council to review the budget again and the Council agreed to meet on Friday, August 31st. Mayor Pro Tem Truong moved, seconded by Council Member Grow, to approve Ordinance No. O-2018-024-03 – Proposed FY2019 Budget – first reading. Mayor Pro Tem Truong and Council Members Grow, Thompson, Weast, and Watkins voted aye. Council Member Brown voted nay. Council Member Nunn abstained. Motion carried.
5. **Proposed FY2019 Tax Rate** – Conduct a public hearing (second) and consideration and/or action regarding approval of Ordinance No. O-2018-025-03 adopting the FY2019 Proposed Tax Rate. 1st Reading. Finance Director Jennifer Fung presented the ordinance, which included the rollback rate of $0.689261/$100. A discussion was held regarding the amount of revenue generated at different rates. Mayor Averitt opened the Public Hearing at 9:25 p.m. No one came forward. Mayor Averitt closed the Public Hearing at 9:26 p.m. Council Member Weast moved, seconded by Council Member Thompson, that the property tax rate be increased by the adoption of a tax rate of $0.653, which is effectively a 6.66% increase in the tax rate. Mayor Pro Tem Truong and Council Members Grow, Thompson, Weast, and Watkins voted aye. Council Members Nunn and Brown voted nay. Motion carried.

6. **Audit Committee Appointments** – Consideration and/or action regarding nominating and appointing members to the Audit Committee. Mayor Averitt moved to approve the nomination of Council Member Brent Weast, Jeannine Nunn, and Mayor Pro Tem Truong, with Council Member Grow as an alternate to the Audit Committee. The vote was unanimous. Motion carried.

7. **Charter Review Committee Selection** – Consideration and/or action to approve the selection of a member for the Charter Review Committee from the Council. City Secretary Art Camacho advised the Council on their personal selection and a group selection. The following individuals were selected by the Council Member:
   1. Mayor Averitt nominated Suzanne Norris.
   2. Mayor Pro Tem Truong nominated Don Lemaster.
   3. Council Member Grow nominated Marian Hilliard.
   5. Council Member Weast nominated Chris Bethel.
   6. Council Member Watkins nominated Bill Lanford.

   The vote was unanimous. All selections were approved.

   Council Members Brown and Nunn will nominate their choice at the next Council Meeting. Council Member Weast moved, seconded by Council Member Grow, to approve the nomination of Layla Caraway as the Council Selection. The vote was unanimous. Motion carried.

**VISITORS/CITIZENS FORUM**

The following citizens came forward:
1. Paula Lindsey – Appreciated the Worksession on Open Meetings, and inquired about continual problems with Fathom, salary savings from the previous fiscal year, social media problems, and utility billing problems. No other citizen came forward.

11. **FUTURE AGENDA ITEMS**

Discussion on items to be placed on future agendas.
No new items were considered.

**BOARDS/COMMISSIONS**

11. **Resignations of Board/Commissions/Committee Members** – Consider approval of the resignations of Board/Commission/Committee Members. The Council accepted the removal of Julie Barron from the Beautification Board in lieu of her many absences.

12. **Appointment/Reappointment to Boards/Commissions/Committees** – Consider approval regarding appointments to Boards/Commissions/Committees. Council Member Brent Weast appointed Elizabeth Dunbar to the Fire Services Board. The appointment was approved unanimously.

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

RESPECTFULLY SUBMITTED BY:  

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Art Camacho, City Secretary

APPROVED BY:  

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David Averitt, Mayor