A Regular Meeting by the City Council of the City of Haltom City, Texas, was held on September 10, 2018, at 7:00 p.m. at City Hall, 5024 Broadway Avenue, Haltom City, Texas, with the following members present:

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

Mayor David Averitt was absent.

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; Sidonna Foust, Customer Service Director; Janet Carver, Purchasing Agent; Eric Smith, Assistant Director/Planning Projects Manager; and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER
Mayor Pro Tem Truong called the Worksession to order at 6:08 p.m. City Attorney Wayne Olson gave a PowerPoint presentation regarding the Disclosure of Certain Relationships and Interested Parties, Boycotting Israel, and Conflicts of Interest to both the Council and citizens. Mayor Pro Tem Truong 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 Pro Tem Truong closed the Executive Session at 7:02 p.m. and called for a short recess.
CALL TO ORDER
Mayor Pro Tem Truong called the meeting to order at 7:12 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE
Mayor Pro Tem Truong 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 Flea for All will be held on October 20th and 21st.
- The Carson Street Closing will be closed for at least 1 ½ to 2 months.
- The Sept. 11th Ceremony will be held at the Veterans Memorial.
- The Haltom Rec Center will be closed on Friday, September 14th.
- The Fall Sweep will be held on Saturday, October 6th from 9:00 a.m. to 11:00 a.m.

Assistant City Manager Rex Phelps announced that the RFP for Fathom is scheduled for September 28th.

REGULAR AGENDA

1. Minutes – Consideration and/or action regarding approval of the Minutes of the meeting of August 20, 2018 Special Meeting and August 27, 2018 Regular Meeting. Council Member Thompson moved, seconded by Council Member Watkins, to approve the Minutes of August 20, 2018 and August 27, 2018. The vote was unanimous. Motion carried.

2. Preliminary Plat (P-006-18) - Conduct a public hearing and consider action on the application of Terry Belcher, on behalf of IDEA Charter Schools, for a Preliminary Plat creating the IDEA Public Schools, Lot 1, Block A, being all of a 12.381 acres tract of land out of the Thomas Akers Survey, Abstract 25, located in the SF-1 Single Family, SF-2 Single Family and M-2 Heavy Industrial Districts, locally known as 5719 Airport Freeway. Planning and Community Development Director Glenna Batchelor presented the Preliminary Plat and the Final Plat in conjunction. Public Works Director Greg Van Nieuwenhuize stated three things needed to be included in the motion: (1) For the property to have proper drainage, the City would need to have dedicated about thirty feet of easement; (2) The development costs for the infrastructure facility agreement would have to be paid by the City in the amount of $62,000; The City Manager will be authorized to execute these documents. A discussion was held regarding the priority of streets needing repair maintenance in comparison to a street being enlarged to alleviate school traffic. Mayor Pro Tem Truong opened the Public Hearing at 7:29 p.m. for both plats. The following citizens came forward: (1) Jack Lewis stated that the area is in a need for schools and $62,000 is a small price to pay for this. (2) Brad Nelson stated this is a public school because it is funded by state taxes. No other citizen came forward. Mayor Pro Tem Truong closed the Public Hearing at 7:32 p.m. Council Member Nunn moved, seconded by Council Member Weast, to approve the Preliminary Plat (P-006-18), the corresponding Drainage Easement and Facilities Agreement, and authorized the City Manager to execute the Drainage Easement and Facilities Agreement. The vote was unanimous. Motion carried.

3. Final Plat (P-013-18) - Conduct a public hearing and consider action on the application of Terry Belcher, on behalf of IDEA Charter Schools, for a Final Plat creating the IDEA Public Schools, Lot 1, Block A, being all of a 12.381 acres tract of land out of the Thomas Akers Survey, Abstract 25, located in the “SF-1” Single Family, “SF-2” Single Family and “M-2” Heavy Industrial Districts, locally known as 5719 Airport Freeway. Planning and Community Development Director Glenna Batchelor presented the Preliminary Plat and the Final Plat in conjunction. Public Works Director Greg Van Nieuwenhuize stated three things needed to be included in the motion: (1) For the property to have proper drainage, the City would need to have dedicated about thirty feet of easement; (2) The development costs for the infrastructure facility agreement would have to be paid by the City in the amount of $62,000; The City Manager will be authorized to execute these documents. A discussion was held regarding the priority of streets needing repair maintenance in comparison to a street being enlarged to alleviate school traffic. Mayor Pro Tem Truong opened the Public Hearing at 7:29 p.m. for both plats. The following citizens came forward: (1) Jack Lewis stated that the area is in a need for schools and $62,000 is a small price to pay for this. (2) Brad Nelson stated this is a public school because it is funded by state taxes. No other citizen came forward. Mayor Pro Tem Truong closed the Public Hearing at 7:32 p.m. Council Member Nunn moved, seconded by Council Member Weast, to approve the Preliminary Plat (P-006-18), the corresponding Drainage Easement and Facilities Agreement, and authorized the City Manager to execute the Drainage Easement and Facilities Agreement. The vote was unanimous. Motion carried.
4. **Ordinance No. O-2018-028-15 (CU-008-18)** - Conduct a public hearing and consider an application of Austin Hansen on behalf of Land Club 100, LLC requesting a Conditional Use Permit for tattoo studio use in the “C-3” Commercial District, containing approximately 1,377 square feet of lease space on Lot 27E, Block 27 of the G.W. Burkitt’s Subdivision, being approximately 0.1399 acres southeast of East Belknap, locally known as 4008 East Belknap Street. **1st Reading.** Planning and Community Director Glenna Batchelor presented the ordinance and discussion was held regarding the hours of operation, appointments, parking availability, and the objections of the neighboring business. Business owner Austin Hansen and business associate Raheem Ali responded to the questions. Mayor Pro Tem Truong opened the Public Hearing at 7:47 p.m. No citizen came forward. Mayor Pro Tem Truong closed the Public Hearing at 7:48 p.m. Council Member Grow moved, seconded by Council Member Weast, to approve Ordinance No. O-2018-028-15 (CU-008-18) for 4008 Belknap Street – 1st reading. **The vote was unanimous. Motion carried.**

5. **Ordinance No. O-2018-027-15 (CU-007-18)** - Conduct a public hearing and consider action of the application of Thomas Doyle, on behalf of Tyss Investments, for a Conditional Use Permit for tire and battery sales store uses in the “M-2” Heavy Industrial District located on Lot 1, Block 1 of the Freeman Addition, being approximately 0.7545 acres on the west side of Denton Highway, locally known as 5837 Denton Highway. **1st Reading.** Planning and Community Development Director Glenna Batchelor presented the ordinance and a discussion was held regarding the location of the property and the prior building ownership. Mayor Pro Tem Truong opened the Public Hearing at 7:50 p.m. No citizen came forward. Mayor Pro Tem Truong closed the Public Hearing at 7:51 p.m. Council Member Grow moved, seconded by Council Member Nunn, to approve Ordinance No. O-2018-027-15 (CU-007-18) – 1st reading. **The vote was unanimous. Motion carried.**

6. **North Park Restroom Facility Contract** – Consideration and/or action to approve the use of the Sourcewell cooperative contract number 030117-CXT for CXT, Inc. to construct the North Park restroom facility. Purchasing Agent Janet Carver presented the agenda item and Parks and Recreation Director Christi Pruitt answered discussion questions regarding the restroom facilities and construction costs. Council Member Grow moved, seconded by Council Member Thompson, to approve contract number 030117-CXT for the North Park restroom facility. **The vote was unanimous. Motion carried.**

7. **Resolution No. R-2018-013-03** – Consideration and/or action regarding the approval and adoption of the Rate Review Mechanism (RRM) process for Atmos Energy Corporation, Mid-Tex Division. Finance Director Jennifer Fung reviewed the process that accumulated in the statewide system increase and Atmos Public Affairs Manager Darwin Winfield also provided additional information on the increased rate. A discussion was held regarding the gas line replacements throughout the DFW area causing a possible increase in premiums and the condition of the gas lines in Haltom City. Mr. Winfield stated he will have information on the condition of these lines in a future presentation for the Council and citizens. Council Member Grow moved, seconded by Council Member Nunn, to approve Resolution No. R-2018-013-03 – Atmos Energy rate settlement. **The vote was unanimous. Motion carried.**

8. **Proposed FY2019 Budget** – Consideration and/or action regarding approval of Ordinance No. O-2018-024-03 adopting the proposed FY2019 budget. **2nd Reading.** Finance Director Jennifer Fung presented the proposed budget, which included the property valuation, the proposed tax rate, property tax details, tax rate changes, revenues and expenditures, and projected fund balances. Mayor Pro Tem Truong opened the Public Hearing at 8:11 p.m. and the following citizens came forward.

1. Stacey Corbin – Inquired about the property values, Senior Citizen tax freeze, $14 million increase in expenditures, Public Safety total expenditures, fleet service increases, non-departmental increases, debt service increases, firetruck replacements, and a tax seminar being held in Arlington.
2. Jack Lewis – Commented on the Senior Citizen tax freeze and stormwater fee.
3. Trae Fowler – Thanked Council Member Nunn for having another budget workshop, inquired about additional funding being provided to the Sales Tax fund due to the termination of the EDC funds.

Mayor Pro Tem Truong closed the Public Hearing at 8:26 p.m. Council Member Grow moved, seconded by Council Member Weast, to approve Ordinance No. O-2018-024-03 - second reading – adopting the FY2019 Budget. **Mayor Pro Tem Truong and Council Members Grow, Thompson, Weast, and Watkins voted aye. Council Members Nunn and Brown voted nay. Motion carried.** Council Member Grow moved, seconded by Council Member Thompson, to ratify the property tax increase reflected in the budget. **Mayor Pro Tem Truong and Council Members Grow, Thompson, Weast and Watkins voted aye. Council Members Nunn and Brown voted nay. Motion carried.**

9. **Proposed FY2019 Tax Rate** – Consideration and/or action regarding approval of Ordinance No. O-2018-025-03 adopting the FY2019 Proposed Tax Rate. **2nd Reading.** Finance Director Jennifer Fung presented the tax rate consisting of an M&O rate of $0.423 and an I&S rate of $0.23, for a total rate of $0.653/$100. 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/$100, which is effectively a 6.66 percent 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 approved.**

10. **Fee Schedule** – Consideration and/or action regarding approval of Resolution No. R-2018-009-03 amending the fee schedule. Finance Director Jennifer Fung presented the resolution with the major changes and a discussion was held regarding the plat fees. Council Member Watkins requested the agenda item be tabled to allow for more review of the fees and then moved, seconded by Council Member Grow, to table this item until the next Council meeting. **Council Members Grow, Nunn, Watkins and Brown voted aye. Mayor Pro Tem Truong and Council Members Thompson and Weast voted nay. Motion carried.**

11. **Investment Policy** – Consideration and/or action regarding approval of Resolution No. R-2018-010-03 amending the revised investment policy. Finance Director Jennifer Fung presented the resolution. Finance Director Fung presented the resolution and Council Member Nunn moved, seconded by Council Member Grow, to approve Resolution No. R-2018-010-03 – amending the revised investment policy. **The vote was unanimous. Motion carried.**

12. **Signatories** – Consideration and/or action regarding approval of Resolution R-2018-011-03 designating the authorized signatories for all City financial transactions. Finance Director Jennifer Fung presented the resolution. Council Member Grow moved, seconded by Council Member Thompson, to approve Resolution No. R-2018-011-03 – authorizing signatories for all City financial transactions. **The vote was unanimous. Motion carried.**

**VISITORS/CITIZENS FORUM**

The following citizens came forward:
1. Carol Mattison – Inquired about why her water bill has increased.
2. Paula Lindsey (1) – Asked why Fathom was not included on the agenda.
  (2) – Stated she handles complaints from citizens.
3. Trae Fowler – Inquired about water loss being solved should call for lower rates; asked about future Townhall meeting.
4. Stacey Corbin – Questioned the amount of water recovery and a change of rates.
5. Susan Abila – Stated her water bill was high and there was a leak at Haltom High School.
6. Phil Harris – Stated that air pockets could cause a distortion with the water meters.

No other citizens came forward.
13. Resignations of Board/Commissions/Committee Members – Consider approval of the resignations of Board/Commission/Committee Members. There were no resignations.

14. Appointment/Reappointment to Boards/Commissions/Committees – Consider approval regarding appointments to Boards/Commissions/Committees. Council Member Brown appointed Jack Lewis to the Charter Review Committee. The appointment was approved unanimously. Council Member Nunn appointed James White to the Charter Review Committee. The appointment was approved unanimously.

EXCUSED ABSENCE OF COUNCIL MEMBERS

15. Attendance Requirements – Consideration regarding excused absences of Council Members according to Article III, Sec. 3.07 (a). Mayor Pro Tem Truong submitted the excused absence of Mayor David Averitt. The absence was approved unanimously.

ADJOURNMENT

Mayor Prop Tem Truong adjourned the meeting at 9:35 p.m.

RESPECTFULLY SUBMITTED BY: 

APPROVED BY:

____________________________  __________________ _____________

Art Camacho, City Secretary  
David Averitt, Mayor