A Regular Meeting by the City Council of the City of Haltom City, Texas, was held on September 24, 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 3 Lin Thompson
Council Place 4 Brent Weast    Council Place 5 Bob Watkins
Council Place 6 Ricky Brown
Council Place 2 Walter Grow was available via videoconference.

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; Cody Phillips, Police Chief; and Greg Van Nieuwenhuize, Public Works Director.

**WORKSESSION**

**CALL TO ORDER**

Mayor Averitt called the Worksession to order at 6:04 p.m. Assistant City Manager Rex Phelps introduced David Sellers, CEO of LGE Design (McCrae Group), who gave a PowerPoint presentation that included previous projects and a proposed building project for the properties located south of Loop 820 and either side of Anderson Blvd. and Northern Cross Blvd. A discussion was held regarding projected employees (1,500) and a filing for rezoning. Mayor Averitt closed the Worksession and called for an Executive Session at 6:21 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 6:55 p.m. and called for a short recess.
CALL TO ORDER
Mayor Averitt called the meeting to order at 7:07 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE
Council Member Nunn 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 5 to 7 weeks.
  • The Fall Sweep will be held on Saturday, October 6th from 9 a.m. to 11 a.m.
  • The Fire Dept. will hold its Open House on October 6th from 10 a.m. to 1 p.m.

REPORTS

REGULAR AGENDA

Due to communication problems, Mayor Averitt moved up Agenda Item #9 to the front.

9. Resolution No. R-2018-012-01 – Reconsideration and/or action regarding amendment approval of Resolution No. R-2018-012-01 - terminating the Haltom City Economic Development Corporation. A discussion was held regarding the EDC ongoing property sales and the need for a continuance of the EDC. Council Member Grow moved to delay the termination of the EDC until January 31, 2019 and allow the EDC to execute the necessary negotiations to sell the EDC properties or getting into a contract prior to the termination of the EDC. After consulting with the City Attorney, Council Member Grow modified his motion for termination to allow for the EDC to enter into contracts and negotiate the contracts for the EDC properties. Council Member Weast seconded the motion. The vote was unanimous. Motion carried.

2. Minutes – Consideration and/or action regarding approval of the Minutes of the August 31, 2018 Budget Meeting, the September 4, 2018 Joint Meeting, and the September 10, 2018 Regular Meeting. A correction by Council Member Thompson was made in the September 4th minutes. Council Member Weast moved, seconded by Mayor Pro Tem Truong, to approve the Minutes as corrected per Council Member Thompson. The vote was unanimous. Motion carried.

3. Ordinance No. O-2018-028-15 (CU-008-18) - 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. 2nd Reading. Planning and Community Development Director Glenna Batchelor presented the ordinance and Mayor Pro Tem Truong moved, seconded by Council Member Thompson, to approve Ordinance No. O-2018-028-15 (CU-008-18) – 4008 East Belknap Street, second reading. The vote was unanimous. Motion carried.

4. Ordinance No. O-2018-027-15 (CU-007-18) - 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. 2nd Reading. Planning and Community Development
Director Glenna Batchelor presented the ordinance and Mayor Pro Tem Truong moved, seconded by Council Member Thompson, to approve Ordinance No. O-2018-027-15 (CU-007-18) – 5837 Denton Highway, second reading. The vote was unanimous. Motion carried.

5. **Ordinance No. O-2018-029-15 (Z-006-18)** – Conduct a public hearing and consideration and/or action regarding the application of Paul Crafton for a Zoning Change request from “C-2” Commercial to “C-3” Commercial District located on a tract of land situated in the Browning Park Subdivision, Lot A & B, Block 9 and being approximately 1.3619 acres east of Denton Highway, locally known as 5304 Denton Highway and 5516 Bonner Drive. **1st Reading.** Planning and Community Development Director Glenna Batchelor presented the ordinance and a discussion was held regarding parking and security cameras. Mayor Averitt opened the Public Hearing at 7:31 p.m. No one came forward. Mayor Averitt closed the Public Hearing at 7:32 p.m. Council Member Thompson moved, seconded by Council Member Weast, to approve Ordinance No. O-2018-029-15 (Z-006-18) – first reading. The vote was unanimous. Motion carried.

6. **Ordinance No. O-2018-030-15 (CU 009-18)** – Conduct a public hearing and consideration and/or action regarding the application of Ali Sairafi requesting a Conditional Use Permit for automobile and light truck repair shop, automobile tune up and lube center, and tire and battery sales store, auto laundry/car wash located on a tract of land situated in the Meadow Oaks Addition-Haltom, Lot 6 to 13 & S10’ 5, Block 37 and being approximately 0.8774 acres east of Denton Highway, locally known as 2906 & 2908 Denton Highway. **1st Reading.** Planning and Community Development Director Glenna Batchelor presented the ordinance and a discussion was held regarding the number of compliances needed for the property, specifically tire disposal and wrecked vehicles removal. Mayor Averitt opened the Public Hearing at 7:46 p.m. and the following individuals came forward:

1. Don Lemaster – Spoke in favor of owner Ali Sairafi and his customer service.
2. Daren Hudson – Supported Ali Sairafi and inquired for him to receive façade grants.

No other citizen came forward. Mayor Averitt closed the Public Hearing at 7:50 p.m. Council Member Weast moved, seconded by Council Member Nunn, to approve Ordinance No. O-2018-030-15 (CU 009-18) at 2906 and 2908 Denton Highway – first reading. The vote was unanimous. Motion carried.

7. **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 and a discussion was held regarding the dissolving of library fines, water meter tampering fees, sewer rates, credit card user fees, and storm water equipment use subsidies. Council Member Brown moved, seconded by Council Member Nunn, to approve Resolution No. R-2018-009-03 as presented, with the elimination of the Line Item #53 – Stormwater Drainage Fee for Residential at $6.81. **Council Members Brown and Nunn voted aye. Mayor Pro Tem Truong and Council Members Grow, Thompson, Weast and Watkins voted nay. Motion defeated.** Council Member Grow moved, seconded by Council Member Weast, to approve Resolution No. R-2018-009-03, as recommended by the Staff. **Mayor Pro Tem Truong and Council Members Grow, Thompson, Weast and Watkins voted aye. Council Members Brown and Nunn voted nay. Motion carried.**

8. **Bid No. B2018-215-001** – Consideration and/or action to award the bids for the City’s annual requirements of Water and Wastewater Utility Parts to the vendor. Public Works Director Greg Van Nieuwenhuize presented a review of the bid process and a discussion was held regarding additional vendors and coop assistance. Mayor Pro Tem Truong moved, seconded by Council Member Weast, to approve Bid No. B2018-215-001 as requested by Staff. **The vote was unanimous. Motion carried.**

The Council took a break at 8:30 p.m. and returned to Regular Session at 8:42 p.m.
VISITORS/CITIZENS FORUM

The following citizens came forward:
1. Daren Hudson – Inquired about the following: additional charges that Fathom is receiving; requested that the drainage fee be discontinued; mediation with Fathom is in Arizona; dedicated funds for city facilities (Library, Animal Shelter) are not being spent properly; no staff or city official attended a local meeting regarding water loss.
2. Stacey Corbin – Requested an Open Forum for citizens to discuss their problems with city officials is needed; inquired about $717,000 non-departmental expenditure; requested more information be provided to the citizens in lieu of the Fathom audit.
3. Trae Fowler – Inquired about the increase in taxes for the citizens; requested an update on the external investigation of racism; asked about damaged water meters on rental properties.

No other citizen came forward.

BOARDS/COMMISSIONS

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. Mayor Averitt appointed Julie Barron to the Beautification 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 8:59 p.m.

RESPECTFULLY SUBMITTED BY:                  APPROVED BY:

____________________________  __________________ _____________
Art Camacho, City Secretary       David Averitt, Mayor