A Special Joint Meeting with the City Council and the Haltom City Economic Development Corporation was held by the City of Haltom City, Texas, on October 8, 2018, at 6:00 p.m. at the Haltom City Hall, 5024 Broadway Avenue, Haltom City, Texas, with the following members present, to-wit:

Mayor David Averitt     Mayor Pro-Tem Dr. An Truong
Council Place 1 Jeannine Nunn   Council Place 2 Walter Grow
Council Place 3 Linda Thompson   Council Place 4 Brent Weast
Council Place 5 Bob Watkins   Council Place 6 Ricky Brown
EDC Board Members: Ricky Brown (CC), President; Gary Blocker, Vice-President; Don Jury, Daren Hudson, Wesley Hart, Bob Watkins (CC), and Walter Grow (CC).
Staff Present: Keith Lane, City Manager; Rex Phelps, Assistant City Manager; Wayne Olson, City Attorney; Art Camacho, City Secretary; Glenna Batchelor, Planning and Community Development Director; Janet Carver, Purchasing Agent, and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

Both Mayor Averitt and EDC President Brown called the Joint Meeting to order at 6:03 p.m. for the Council and EDC Board Members to be counted present. Darwin Winfield, of Atmos Energy, gave a presentation of the gas line infrastructure, along with Robert Williams and Joe Castillo. Public Works Director Greg Van Nieuwenhuize presented data regarding possible sidewalk installations on Denton Hwy, which also included grant funding matches, and a consultant will provide a review for the next meeting. Mayor Averitt and EDC President Brown both called for an Executive Session at 6:25 p.m.

EXECUTIVE SESSION

The City Council and Board of Directors will meet in closed session pursuant to the referenced sections of the Texas Government Code.

Chapter 551 of the Texas Government Code

As authorized by Section 551.071, the City Council and the Economic Development Corporation Board of Directors reserve 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:

Section 551.071 – Consultation with the City Attorney. 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, 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
• Joe Williamson v. City of Haltom City

Section 551.072 – 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 - Deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of the City Manager

Both the Council and the EDC went into a joint Executive Session at 6:25 p.m. They reconvened into Regular Session at 7:00 p.m.

CALL TO ORDER – Council and EDC
Both Mayor Averitt and EDC President Brown called the Meeting to Order at 7:07 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE – Council Member Walter Grow requested Assistant City Manager Rex Phelps present the Invocation, and then he led the Council and citizens in the Pledge of Allegiance and the Texas Flag Pledge.

ANNOUNCEMENTS – City Secretary Art Camacho read the following announcements:
• The HC Public Library website lists the children, teen, and adult programs.
• The Flea for All will be held on October 20th and 21st.
• The Pumpkin Decorating and Pumpkin Smash will be held at the Library.
• The Carson Street Closing will be closed for at least 6 more weeks.
• The Trick or Trunk will be held on October 25th at Shannon High School.
• The Harvest Fest will be held on October 31st at Ft. Worth Christian Center.
• The Haltom Halloween will be held October 27th at the Recreation Center.
• Youth Basketball/Lil' Ballers registration is from October 15th to November 4th.
• The HC Citizens Fire Academy is hosting a Breakfast on November 10th.
• HC Senior Citizen Center is hosting Holiday Craft Fair on October 13th.
• HC Senior Citizen Center is hosting Halloween Party on October 31st.
• The HC Board/Commission Banquet is November 1st at Diamond Oaks.

COUNCIL/EDC ACTION

1. Haltom Hospitality 380 Development Agreement – Consideration and/or action regarding Chapter 380 Development Program and Economic Development Agreement between the City of Haltom City, the Haltom City Economic Development Corporation and Haltom Hospitality, LLC for Development of a Hotel and Restaurant. City Attorney Wayne Olson provided a review of the previous deliberation regarding the agreement and also disclosed that he had received the current agreement from Mr. Karmali’s attorney Randy Marx at 2:51 p.m. this afternoon. Mr. Marx proceeded to review the agreement, segment by segment. A discussion was held regarding the actual determining of the project commencement, Request for First Refusal restrictions, the thirty (30) day deadline for fees and permits, non-municipal utility connections, and actual thirty (30) month date for completion. EDC Board Member Grow moved, seconded by EDC Board Member Jury, to deny the third amendment, the agreement, and to get the property back to the EDC. EDC President Brown, Vice President Blocker and EDC Members Grow, Watkins, Hart, and Jury voted aye. Board Member Hudson abstained. Motion carried. Council Member Grow moved, seconded by Council Member Thompson, to deny the amendment and the agreement. The vote was unanimous. Motion carried. The non-Council EDC members – Don Jury, Gary Blocker, Wesley Hart, and Daren Hudson – were finished with the EDC portion of the Joint Meeting at 7:45 p.m.
CONSENT AGENDA

2. **Minutes** – Consideration and/or action regarding approval of the Minutes of the September 24, 2018 Regular Meeting and the September 26, 2018 Joint Meeting.

3. **Ordinance No. O-2018-029-15 (Z-006-18)** – 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. **2nd Reading.**

4. **Ordinance No. O-2018-030-15 (CU 009-18)** – 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. **2nd Reading.**

5. **Cartegraph Software Agreement** – Consideration and/or action regarding approval of a Cartegraph agreement in the amount of $73,000 for the online work order system.

   Mayor Averitt stated that Agenda Item #4 – Ordinance No. O-2018-030-15 (CU 009-18) – will not be considered this meeting, but will be considered at the next meeting. Council Member Grow moved, seconded by Council Member Weast, to approve the Consent Agenda consisting of Items #2, #3, and #5. **The vote was unanimous. Motion carried.**

REGULAR AGENDA

6. **Property Enhancement Incentives Grant (PEIP)** – Consideration and/or action for approval of a PEIP to Haltom Road Baptist Church for property located at 3313 Haltom Road. Planning and Community Development Director Glenna Batchelor presented the application. Prior to voting on this item, Council Member Weast acknowledged his home church has worked in close association with Haltom Road Baptist Church, but that it would not affect his vote. Council Member Weast then moved, seconded by Mayor Pro Tem Truong, to approve the Property Enhancement Incentives Grant (PEIP) for Haltom Road Baptist at 3313 Haltom Road. **The vote was unanimous. Motion carried.**

7. **Replat P-015-18** – Conduct a Public Hearing and consider action on the application of Charles Scoma for approval of a replat creating Lot 7R1, Block 6 of the Golden Gardens Addition replat from Lot 7, Block 5 of the Golden Gardens Addition located in the “SF-2” Single Family Residential District containing approximately 0.5264 acres of land, locally known as 5900 Ellison Avenue. Planning and Community Development Director Glenna Batchelor presented the replat. Mayor Averitt opened the Public Hearing at 7:55 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 7:56 p.m. Council Member Brown moved, seconded by Council Member Thompson, to approve Replat P-015-18. **The vote was unanimous. Motion carried.**

8. **Plan Amendment** – Consideration and/or action regarding the approval of an Amendment in the amount of $89,672.00 to the existing Sanitary Sewer Master Plan Agreement with the RJN Group. Public Works Director Greg Van Nieuwenhuize presented the amendment, with additional information from Derek Swanke, of RJN.
Mayor Pro Tem Truong moved, seconded by Council Member Nunn, to approve the plan amendment in the amount of $89,672.00 with the RJN Group. The vote was unanimous. Motion carried.

9. **Utility Audit Selection** – Consideration and/or action to approve the selection of Audit Services for the Fathom water meter and billing system. Assistant City Manager Rex Phelps presented the agenda item and reviewed the selection process, which included a favorable approval from the City of Austin in regard to the services of UtiliWorks. A discussion was held regarding the timeline, calibrated meters, and payment cycles. Mayor Pro Tem Truong moved, seconded by Council Member Weast, to approve the Utility Audit Selection of UtiliWorks. The vote was unanimous. Motion carried.

**VISITORS/CITIZENS FORUM**

The following citizens came forward:
1. Jack Lewis – Requested enforcement of street parking and vehicle storage in residential neighborhoods.
2. Stacey Corbin – Stated that citizens share a lack of trust toward the Council and that parking issues arise when the children acquire vehicles.
3. Trae Fowler – Asked about the external investigation of racism in the Fire Department; read an Open Record Request email; requested the investigation be completed. City Manager Lane responded by stating the email remarks are false.
4. Susann Ora – Stated the United of Fort Worth is known for causing disturbances and that the immigration law is available to all citizens.
5. Tom Myers – Stated the parking problem is aligned with the number of homes being rented in the city and the numerous residents sharing the residence; commented on the leadership of the City Manager and devotion of the Public Works staff; stated bad choices made in the past have made it difficult for the present; thanked the City Manager for his willingness to pay a citizen’s utility bill.
6. Steve Chapman – Stated the Star-Telegram was unfair in their story and the city should go forward with positive action.

No other citizens came forward.

**FUTURE AGENDA ITEMS**

10. Discussion on items to be placed on future agendas. The subject of a Residential Crime Free Ordinance for Single Family residence, similar to that of the Crime Free Ordinance used in the apartment rentals, was discussed for future deliberation and will be reviewed by the City Manager and City Attorney, with input from Planning and Community Development Director Glenna Batchelor. Also, a time limit change from six minutes to three on the Citizens/Visitors Forum was mentioned, along with the Code Compliance item which will be discussed after the Charter Review has completed its findings. In addition, the Comprehensive Land Use Plan, last updated in 2010, is due for review and discussion.

**BOARDS/COMMISSIONS/COMMITTEES**

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

Council Member Brent Weast left the dais due to a health problem at 8:58 p.m.

12. **Appointment/Reappointment to Boards/Commissions/Committees** – Consider approval regarding appointments to Boards/Commissions/Committees. Mayor Pro
Tem Truong moved to appoint Council Member Linda Thompson as the Liaison to the Charter Review Committee. The vote was unanimous, with Council Member Weast absent. Motion carried.

EXCUSED ABSENCE OF COUNCIL MEMBERS

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

EXECUTIVE SESSION

The Council went into Executive Session at 9:05 p.m., but was delayed in lieu of the medical response for Council Member Weast, who was taken to a hospital via an ambulance. The Session began at 9:33 p.m. They reconvened into Regular Session at 10:28 p.m.

RECONVENE INTO REGULAR SESSION

14. Take any action deemed necessary pursuant to executive session. Council Member Watkins moved, seconded by Council Member Thompson, to direct staff not to proceed with the external investigation. Council Members Nunn, Grow, Thompson and Watkins voted aye. Mayor Pro Tem Truong and Council Member Brown voted nay. Motion carried.

City Manager Keith Lane addressed the Council and citizens regarding the incident with United of Fort Worth and thanked individuals who supported him. Several Council members stated their support for him also. Assistant City Manager Rex Phelps reported on issues from the Visitor/Citizen Forum at the last meeting in that Fathom is not receiving revenue from late fees, but he was not clear on whether they receive revenue from citizen calls, which according to the contract, they can if it is more than 10% of the managed account, but have not billed the city for this yet. He also reported cutoffs are down by 2/3 margin, along with late fees being down 2/3, and that the City does not have to travel to Arizona for mediation or contract disputes. He stated there is no evidence of $100,000 of donation money being spent to repair the roof of the Recreation Center for this current administration, and that the Utility Department will have a representative at the next workshop in Arlington. In addition, he also stated that the position of the landlord in the situation of water meter vandalism by the renter will always be reviewed before any fees are imposed and that drainage fees in comparison to revenue forfeited by senior citizen property tax freeze are not equal. In the future, questions asked during the Visitor/Citizen Forum will be answered at the next Council meeting, if possible.

ADJOURNMENT

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

RESPECTFULLY SUBMITTED BY:        APPROVED BY:

__________________________________  ______________________
Art Camacho, City Secretary        David Averitt, Mayor