A Regular Meeting by the City Council of the City of Haltom City, Texas, was held on January 28, 2019, 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; Alicia Kreh, City Attorney; Art Camacho, City Secretary; Jennifer Fung, Finance Director; Glenna Batchelor, Planning and Community Development Director; Cody Phillips, Police Chief, and Greg Van Nieuwenhuize, Public Works Director.

**WORKSESSION**

**CALL TO ORDER** - Mayor Pro Tem Truong called the Worksession to order at 6:00 p.m.

**VISITORS/CITIZENS FORUM**

1. Trae Fowler – Addressed the Council regarding an Open Records Request of a Civil Service Commission meeting being sent to the Attorney General and the entailing additional legal costs.

2. Stacey Corbin – Apologized for her asking the Council to speak regarding Cody Elliott’s hearing; stated the petition concerning getting rid of Fathom, lowering the water bills, and addressing the Stormwater fees was legitimate. She also inquired about street light safety for citizens being outside after dark.

There was no Executive Session.

**REPORTS**

1. **Monthly Financial Report** – Review of Monthly Financial Report for November 2018 and December 2018. Finance Director Jennifer Fung presented a report that emphasized property tax collections and low revenues in other funds because of low quarter activity. A question of why the sales tax report did not include North Richland Hills was asked and Ms. Fung stated she will have it on the next monthly report.

2. **Quarterly Investment Report for 2018** – Review of the Quarterly Investment Report for the quarter ended December 30, 2018. Finance Director Jennifer Fung presented the quarterly report that indicated the lower interest rate of the last quarter and the unrealized loss will not be lost because the investment will mature, causing a realized increase.

3. **2018 Crime Statistics (4th Quarter)** – Presentation of Haltom City Police Department crime statistics for the 4th quarter of 2018. Police Chief Cody Phillips first addressed the Police Department’s handling of a car fire and thanked all who were involved. He then presented a report concerning statistical data on local crimes, code enforcement, and animal services.

The Worksession ended at 6:38 p.m.

The Regular Session meeting was delayed due to a medical situation with Council Member Brent Weast.

**REGULAR MEETING**

**CALL TO ORDER**

Mayor Pro Tem Truong called the meeting to order at 7:06 p.m. Council Member Brent Weast was absent at this time.
INVOCATION/PLEDGE OF ALLEGIANCE
Council Member Jeannine 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.
- Landscapes of HC, a coloring book by HHS Arts Club members, is for sale for $10.
- HC Calendars are available at City Hall, the Rec Center, and the Library.
- Veterans Memorial has a brick fundraiser and can be ordered through the city website.
- Haltom Stampede will be held on Feb. 9 and registration is available online.
- Parks and Rec have a Master Plan available for citizen input on the city website.
- Volunteers are needed to read to BISD students on World Read Aloud Day on Feb. 1.
- Registration for Co-ed Soccer is now open and the deadline is February 28th.

PRESENTATIONS – Haltom High School Football Team – Certificate of Recognition
Assistant City Manager Rex Phelps presented a Certificate of Recognition to Coach Jason Tucker and players Gavon Lange, Jackson Tucker, Juan Soto, Jesse Edmonson, Adam Hill, and Adrian Ulteras, recognizing them for their 13-1 football season record for 2018. Coach Tucker thanked the Council, the school, players, and citizens for their support. Council Member Brown added that Coach Tucker also received the Tom Landry Coach of the Year award.

CONSENT AGENDA

4. Minutes – Consideration and/or action regarding approval of the Minutes of the Regular Meeting of January 14, 2019.

5. Ordinance No. O-2019-001-15 (CU-014-18) – Consideration and/or action to approve the application of LeRoy Blanks for a Conditional Use Permit request in the “C-3” Commercial District to allow for a Bingo Hall – Commercial use in the “C-3” Commercial District, containing approximately 4.526 acres containing approximately 14,400 square feet of lease space on the south end of the building on Lot A1, Block 9 of the North Hills Addition, locally known as 3500 Denton Highway -2nd Reading.

6. Waiver of Conflict for Joint Permitting - Consideration of Waiver of Conflict for TOASE to develop agreement for joint permitting of project with City of Richland Hills.

   Council Member Brown moved, seconded by Council Member Grow, to approve the Consent Agenda consisting of Items 4, 5 and 6. The vote was unanimous. Motion carried.

REGULAR AGENDA

7. Ordinance No. O-2019-004-15 (CU-015-18) – Conduct a public hearing and consider action regarding the application of Steven Westfall for approval of a Conditional Use Permit for automobile and light truck repair shop and vehicle storage facility in the “M-2” Heavy Industrial District located on Lot 16 & 17, Block 4 of the Parkdale Gardens Addition, being approximately 0.6904 acres on the west side of Delante Avenue, locally known as 2333 Delante Avenue. 1st reading. Planning and Community Development Director Glenna Batchelor presented the ordinance and a discussion was held regarding permits on the south side of the property, cars delivered by large trucks, and possible expansion room. Mayor Pro Tem Truong opened the Public Hearing at 7:26 and the following came forward:
   1. Roy Sullins – Inquired of the number of parking spaces, number of employees, exterior parking of autos, and storage in fenced areas.
   2. Trae Fowler – Stated the Council has the right to place stipulations for the tenant, but not for a new owner, so this stipulation should follow ownership continually. He also said there is already an existing parking and traffic problem in that property area.
   3. Roy Sullins – Asked again about the number of employees and parking places.
Property owner Steven Westfall addressed the Council and stated the following:
1. There are nine parking spots in front of his property, and there are three employees, with their operating hours being Monday through Friday, from 8:00 a.m. to 6:00 p.m.
2. There would be no outside storage, or body work or painting being done, or car sales. The blind area outside will be used for maneuvering their gooseneck trailer.
3. Exterior improvements, painting and possible landscaping, could be done, and any reasonable exterior condition requested by Council will be acceptable.

Mayor Pro Tem Truong closed the Public Hearing at 7:44 p.m. A discussion was held regarding making conditions specific to a tenant and Ms. Batchelor stated a similar case had come before the Council and the Conditional Use Permit has to be specific to the property. City Attorney Olson also added information regarding the specifics. Council Member Grow moved to disapprove the Conditional Use Permit. There was no second. Council Member Jeannine Nunn asked if the Council passed the ordinance on first reading, would the Council be able to include the stipulations discussed into the second reading. City Attorney Olson stated that the stipulations made by the Council would be included in the second reading for approval. Ms. Nunn moved, seconded by Council Member Weast, to approve Ordinance No. O-2019-004-15 (CU 015-18) on its first reading. Mayor Pro Tem Truong and Council Members Nunn, Grow, Thompson, Weast, and Watkins voted aye. Council Member Brown voted nay. Motion carried. The Council listed several stipulations to be included in the second reading.

Due to his medical condition and having to leave the meeting shortly, Council Member Weast requested that Agenda Items #13 and #14 be brought forward for consideration.

13. Resignations of Board/Commissions/Committee Members – Consider approval of the resignations of Board/Commission/Committee Members. Council Member Weast moved to have Wesley Hart removed from the Economic Development Corporation (EDC) Board. Mayor Pro Tem Truong and Council Members Grow, Thompson, Weast, and Watkins voted aye. Council Member Nunn voted nay. Council Member Brown left his vote on the “No Voting” option. Motion carried.

14. Appointment/Reappointment to Boards/Commissions/Committees – Consider approval regarding appointments to Boards/Commissions/Committees. Council Member Weast moved to appoint Troy Dunn to the EDC Board. The vote was unanimous. Motion carried. Mayor Pro Tem Truong moved to appoint Kay Roemmich to the Beautification Board. The vote was unanimous. Motion carried.

Council Member Weast left the meeting at 7:55 p.m.

8. Ordinance No. O-2019-005-15 (Z-004-18) – Conduct a public hearing and consider action regarding the application of David Duong for a Zoning Change request from “M-1” Industrial District to “PD-MF-2” Planned Development – Multifamily District located on a tract of land situated in the J.A. Murrell Addition being Lots 17A, 18A, 19A, 20, 21A, 22A, 23A and 24A, being approximately 1.2769 acres on the west side of Layton Avenue, locally known as 4225 Bernice Street. 1st Reading. Planning and Community Development Director Glenna Batchelor presented the ordinance and stated the applicant requested a continuance for this item until after the P & Z meeting of February 12, 2019, in which they will have an established mutual access as part of their parking agreement. Council Member Thompson moved, seconded by Council Member Grow, to approve a continuance on this agenda item until the February 25, 2019 Council meeting. The vote was unanimous. Motion carried.

9. Resolution No. R-2019-004-01 - Consideration and/or action regarding amending Resolution No. R-2019-004-01, calling a General and Special election to be held on May 4,
2019. City Secretary Art Camacho presented the resolution calling for a Special Election to be held in conjunction with the General Election because of the vacancy of Council Place 5. Council Member Grow moved, seconded by Council Member Thompson, to approve Resolution No. R-2019-004-01. The vote was unanimous. Motion carried.

10. **Ordinance No. O-2019-003-01** – Consideration and/or action regarding calling a special election to be held on May 4, 2019 for the purpose of submitting charter amendments to the voters. **1st Reading.** Charter Review Committee Chair Steve Chapman began by listing the members of the Committee and the Ethics Sub-Committee, the Committee’s timeline efforts, procedures, and final proposal. He presented a review of the Committee’s proposals, which primarily included legal verbiage recommendations regarding current charter language from the City Attorney’s office, the proposed changes from both the Police and Fire Department involving the Civil Service, and Finance Director Jennifer Fung’s suggestion regarding a periodic review of the audit services. He stated the main changes the Committee addressed were the addition of an Ethics Commission and for the Mayor’s service term to be extended for five terms, rather than the current three terms.

A review of each of the red-lined items on the proposed charter was done on the following:
1. Article I – Boundaries and Annexations
2. Article II – Powers
3. Article III – City Council
4. Article IV – Nominations and Elections
5. Article V – Finance
6. Article VI – Recall of Officers
7. Article VII – Initiative and Referendum
8. Article VIII – Franchises and Public Utilities
9. Article IX – Administration
10. Article X – General Provisions
11. Article XI – Civil Service

City Attorney Alicia Kreh provided additional information on several charter subjects and Human Resources Director Toni Beckett assisted on the Civil Service charter section. A discussion was held regarding the volume of charter information on the ballot, compliance of the charter language, voter opportunity, and specific terms of the new verbiage.

**Mayor Pro Tem Truong called for a short recess at 9:00 p.m. The Council reconvened to the Regular Session at 9:07 p.m.**

Mr. Chapman, City Attorney Kreh, and Ms. Beckett continued with the Committee’s proposals and a discussion was held concerning the Civil Service section involving hearing and appeal deadlines, and shared services for the Civil Service Commission. In addition, the subject of arbitration, preparation for the second reading of the ordinance, the effort to have the charter amendment ballot information given to citizens, boards, and commissions, and a possible workshop, was discussed. Council Member Grow moved, seconded by Council Member Thompson, to approve Ordinance No. O-2019-003-01 – for consideration regarding a special election to be held May 4, 2019 for the purpose of submitting charter amendments – first reading. The vote was unanimous. Motion carried.

**CITY STAFF REPORTS**

   There were no reports.

**FUTURE AGENDA ITEMS**

12. Discussion on items to be placed on future agendas.

   Council Member Grow requested that according to the Charter, Article IX – Administration, Sec. 9.05 – City Attorney, an attorney review be placed on the agenda of February 25, 2019.
EXCUSED ABSENCE OF COUNCIL MEMBERS

15. Attendance Requirements – Consideration regarding excused absences of Council Members according to Article III, Sec. 3.07 (a). Attendance Requirements of the Haltom City Charter. Mayor Pro Tem Truong moved, seconded by Council Member Thompson, to approve the absence of Mayor Averitt. The vote was unanimous. Motion carried.

EXECUTIVE SESSION

There was no Executive Session.

ADJOURNMENT

Mayor Pro Tem Truong adjourned the meeting at 9:50 p.m.

RESPECTFULLY SUBMITTED BY: ______________________________  APPROVED BY: ______________________________

Art Camacho, City Secretary  David Averitt, Mayor