A Regular Meeting by the City Council of the City of Haltom City, Texas, was held on March 11, 2019, 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 2 Walter Grow
Council Place 3 Lin Thompson        Council Place 4 Brent Weast
Council Place 5 Bob Watkins         Council Place 6 Ricky Brown

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; Keith Fisher, City Engineer; Sidonna Foust, Customer Service Director, Parks and Recreation Director Christi Pruitt, and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER - Mayor Averitt called the Worksession to order at 6:01 p.m.

VISITORS/CITIZENS FORUM – No citizen came forward.

Fathom Audit Report – Assistant City Manager Rex Phelps and Customer Service Director Sidonna Foust introduced Don Rankin and Garry Mann, of UtiliWorks, who presented a PowerPoint indicating the data and findings from their audit on Fathom utility meters and billing. Their report included initial tests on 39 meters and 25 more that were tested. Their conclusions resulted with no evidence that any account was overcharged, 50 million gallons of water was recovered in 2018, and the billing period has been readjusted for a monthly scheduled billing. A discussion was held regarding the testing, levels of meter accuracy, types of preferred meters, water loss, budget performance, and improving customer service.

The Worksession ended and Mayor Averitt called for an Executive Session at 6:49 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, selection process for design/construction of Fire Station 3, 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
- Amer Ozzie v. City of Haltom City
- Joe Williamson v. City of Haltom City
- Nicklaus Forrest v. City of Haltom City
- John Summers v. City of Haltom City
- Skyline Mobile Home Park v. 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.
Section 551.074 – Personnel
Deliberation regarding the appointment, employment, evaluation, reassignment, or duties of the City Secretary.
Mayor Averitt closed the Worksession at 7:09 and the Council took a small recess.

REGULAR MEETING

CALL TO ORDER
Mayor Averitt called the meeting to order at 7:16 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE
Council Member Brent Weast gave the Invocation, 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 Library will host Spring Break Activities until the 15th from 2:00 – 3:00 p.m.
• AARP Tax Break is at the Library on Thursdays until April 9th.
• 2019 Fine Arts Student Scholarship applications are available until March 22nd.
• NEET will be hosting a “Rain Barrel” workshop on March 23rd at the Library.
• The 10th Annual HC Carfest will be held April 6th at the Haltom High School.
• Haltom Photo Contest deadline is April 8th.
• Haltom City Code Enforcement is allowing citizens to haul off their tires on March 23rd.

City Secretary Camacho also stated the Northeast Chamber awarded Haltom City residents Kristi Dunn its “Volunteer of the Year”; Layla Caraway and Assistant City Manager Rex Phelps with the “Chairman’s Choice” award.

PROCLAMATION – “American Legion Centennial Day” – Assistant City Manager Rex Phelps presented Mike Gori, Judge Advocate of American Legion Post 655, with a proclamation honouring them and celebrating their centennial.

CONSENT AGENDA

1. Minutes – Consideration and/or action regarding approval of the Regular Meeting of February 25, 2019.

2. Ordinance No. O-2019-006-15 (Z-008-18) – Consideration and/or action to approve the application of John Pitstick, on behalf of Our Country Homes, for a Zoning Change request from “M-1” Industrial to “PD-Residential Mixed” consisting of four different zoning districts being “PD-SF-1” Residential, being approximately 6.55 acres; “PD-SF-2” Residential, being approximately 16.26 acres; “PD-SFA” Residential being approximately 15.57 acres; “PD-OS” Open Space being approximately 3.68 acres, for a total of 42.06 acres of land on Lot A of the Springlake Industrial Park Addition, locally known as 5100 Springlake Parkway. 2nd Reading.

3. Ordinance No. O-2019-002-15 (Z-002-19) – Consideration and/or action to approve the application of Mike French for a Zoning Change request from “C-3" Commercial to “PD – C-3" Commercial for all “C-3" uses plus Rental Yard (Commercial and Heavy Equipment w/Outside Storage), Sheet Metal Shop and Office Warehouse located on Lot 1R2, Block 1, Denton Highway, locally known as 6001 Denton Highway. 2nd Reading. Council Member Weast moved, seconded by Council Member Grow, to approve the Consent Agenda, consisting of items 1, 2, and 3. The vote was unanimous. Motion carried.

REGULAR AGENDA

4. Ordinance No. O-2019-007-15 (CU-001-19) – Conduct a public hearing and consider action on the application of Thomas Doyle, on behalf of Tyss Investments, for an amendment to ordinance O-2018-027-15 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 item and a discussion of the front storage was held. Mayor Averitt opened the Public Hearing at 7:30 p.m. No one came forward. Mayor Averitt closed the Public Hearing at 7:31 p.m. Council Member Grow moved, seconded by Council Member Weast, to approve Ordinance No. O-2019-007-15 (CU-001-19), first reading. **The vote was unanimous. Motion carried.**

5. **Fitness Center Remodel Bid** – Consideration and/or action to approve awarding the bid to complete the fitness room facility remodel to Fort Worth Civil Constructors, LLC for $81,605 (with the understanding staff will work with the vendor to reduce overall cost due to flooring) and that the City Manager be expressly authorized to execute any and all change orders within the amounts set by state and local law. Parks and Recreation Director Christi Pruitt presented the agenda item and a discussion was held regarding an independent bid on the floor, the life expectancy of the repair, and the membership of senior citizens. Council Member Weast moved, seconded by Council Member Thompson, to approve awarding the fitness center remodel bid to Fort Worth Civil Constructors, LLC, for $64,850. **The vote was unanimous. Motion carried.**

6. **Standards of Care** – Conduct a public hearing and consideration and/or action to approve Ordinance No. O-2019-009-10 establishing standards of care for the recreation programs for elementary school age children operated by the City. **1st Reading.** Parks and Recreation Director Christi Pruitt presented the agenda item and addressed the necessity for complying with the state requirement for hosting a child day camp. A discussion was held regarding other city sponsored events involving a child day camp. Mayor Averitt opened the Public Hearing at 7:38 p.m. No one came forward. Mayor Averitt closed the Public Hearing at 7:39 p.m. Mayor Pro Tem Truong moved, seconded by Council Member Nunn, to approve Ordinance No. O-2019-009-10 – first reading. **The vote was unanimous. Motion carried.**

7. **Resolution No. R-2019-008-10** – Consideration and/or action to approve a resolution of the City Council to request the members of the 86th Legislative session of the State of Texas to support legislation that provides stewardship, health, and well-being and connectivity for local and state parks. Parks and Recreation Director Christi Pruitt presented the agenda item and stressed the need for more state taxation designated for parks be situated. Council Member Grow moved, seconded by Council Member Thompson, to approve Resolution No. R-2019-008-10, informing the 86th state legislature of the desire for more sporting good taxes to go to parks and recreation. **The vote was unanimous. Motion carried.**

8. **Ordinance No. O-2019-008-11** –Consideration and/or action regarding amending Section 38-4 in the City’s Code of Ordinances to adopt Flood Insurance Rate Maps dated March 21, 2019. **1st Reading.** Public Works Director Greg Van Nieuwenhuize presented the ordinance and addressed the issues regarding residential flood insurance, neighborhoods being affected, and how flood plain mapping changes can assist them with insurance. A discussion was held regarding the work at Carson Street and Stormwater Funding. Council Member Grow moved, seconded by Council Member Weast, to approve Ordinance No. O-2019-008-11- adoption of the flood plain map - first reading. **The vote was unanimous. Motion carried.**

9. **Facilities Agreement Amendment** – Consideration and/or action to approve Amendment No. 1 to the Facilities Agreement for the High Pointe Addition, Phase 1 and Phase 2, and Fossil Ridge Circle Extension. Public Works Director Greg Van Nieuwenhuize presented the agenda item and Max Miller, of High Pointe Development, was also present and a discussion was held regarding the number of houses to be built and the timeline for the construction. Council Member Weast moved, seconded by Council Member Thompson, to approve Amendment No. 1 on the facilities agreement with High Pointe Addition to allow them to go to 19 model homes. **The vote was unanimous. Motion carried.**
10. **Engineering Amendment** - Consideration and/or action to approve Amendment No. 1 to the Agreement for Engineering Services with Teague, Nall and Perkins, Inc. for the McCullar Road Project. Public Works Director Greg Van Nieuwenhuize presented the agenda item, which included a review of the street conditions and the budgeting process. Greg Saunders, of Teague, Nall and Perkins, was also present and an inquiry of damage done to the street by Chesapeake Oil Company. Mayor Pro Tem Truong moved, seconded by Council Member Watkins, to approve the agreement for engineering services with Teague, Nall, and Perkins for the McCullar Road Project. *The vote was unanimous. Motion carried.*

**CITY STAFF REPORTS**

11. Staff Report to Council/citizens from inquiries from Visitor/Citizen Forum. Customer Service Director Sidonna Foust announced Fathom has reimbursed Haltom City over $20,000 for contributions that were missed in 2018 on the utility billing and will be doing a contribution campaign to inform the public of the numerous options for contributions.

**FUTURE AGENDA ITEMS**

12. Discussion on items to be placed on future agendas. Mayor Pro Tem Truong requested the Council place the subject of the Haltom City 2020 Census on the next agenda for March 25, 2019.

**BOARDS/COMMISSIONS/COMMITTEES**

13. **Resignations of Board/Commissions/Committee Members** – Consider approval of the resignations of Board/Commission/Committee Members. Jeannine Nunn presented the resignation of Steve Bowman from the Planning and Zoning Commission. *The vote was unanimous. Motion carried.*

14. **Appointment/Reappointment to Boards/Commissions/Committees** – Consider approval regarding appointments to Boards/Commissions/Committees. Mayor Averitt appointed Willis Nelson to the Civil Service Commission to replace Cody Elliott. *The vote was unanimous. Motion carried.*

**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. There were no absences.

**EXECUTIVE SESSION**

Mayor Averitt called for an Executive Session at 8:07 p.m.

**RECONVENE TO REGULAR SESSION**

The Council reconvened to Regular Session at 9:01 p.m. Council Member Grow moved, seconded by Council Member Watkins, upon the review of the City Secretary, that the Council approve the standard pay raise of 3% that was given to city employees, based upon his annual review. *The vote was unanimous. Motion carried.*

**ADJOURNMENT**

Mayor Averitt adjourned the meeting at 9:41 p.m.

RESPECTFULLY SUBMITTED BY:  

APPROVED BY:  

____________________________  __________________________  

Art Camacho, City Secretary  David Averitt, Mayor