

KENNEDALE CITY COUNCIL
MINUTES
REGULAR MEETING
January 23, 2017
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

WORK SESSION - 5:30 PM
REGULAR SESSION - 7:00 PM

I. CALL TO ORDER

Mayor Johnson called the meeting to order at 5:29 p.m.

II. EXECUTIVE SESSION

Mayor Johnson recessed immediately into executive session at 5:29 p.m.

A. The City Council will meet in closed session pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

1. Interview Interim City Manager candidate
2. Discuss contract for City Manager services

III. WORK SESSION

A. Discussion of items on regular agenda

No items were discussed at this time.

IV. REGULAR SESSION

Mayor Johnson opened the regular session at 7:06 p.m.

V. ROLL CALL

Present: Frank Fernandez, Brian Johnson , Kelly Turner, Liz Carrington, Charles Overstreet, Michael Walker

Absent: None

VI. INVOCATION

Pastor Greg Adams from Covenant Life Baptist Church provided the invocation.

VII. UNITED STATES PLEDGE AND TEXAS PLEDGE

VIII. VISITOR/CITIZENS FORUM

Jan Joplin, 204 Hilltop Drive, stated that she believed the water rate increase was mainly due to the master and comprehensive plans, specifically non-utility costs being covered by the rates. She called for a Capital Improvements Plan with cost analysis on every project, and closed by saying that just because residents don't attend meetings doesn't mean they don't care.

Debbie Camp, 503 W 3rd Street, I've owned the home at 912 Shady Oaks Drive since 1976, and Harvey De Larosa, who spoke last month, asking for an extension on a BOA decision, has lived nearby at 904 Shady Oaks for 20-something years. He has never maintained his property. His pool is in disrepair and unsanitary. His house burned in 2006, and he has not done anything about it. He does not mow his grass and I have to rent the home I own next door because I can't sell it.

Cathy Brown, 808 Shady Bend Drive, spoke in opposition of Hammack Creek Development because it is high-density. Asked that Council vote against it.

Sandy Mata, 1209 Vera Lane, asked that the gun and cannon at the Sonora Park splash pad be removed, as they normalize violence. Once budget allows, she suggested they be replaced with a fire hydrant or something similar.

Pat Turner, 1013 Kennedale Sublett Road, stated that he recently saw a posting on social media regarding the city's bond ratings being little better than "junk" bonds. He said he appreciates the recent story by the city with information about their receiving a bond rating increase from S&P. He pointed out that the city had received three such increases during City Manager Bob Hart's tenure.

Jonathan Mark Babina, 1056 Falcon Nest Drive, stated that he has never seen a better Council. He went on to point out how many of the Councilmembers held advanced degrees, and pointed out that he feels as if they do this work because of their passion for Kennedale. He concluded by saying that you can't make everyone happy, and they would always have his support.

Lamar Saxon, 1022 Chandler Street, stated that he is the current President of the Kennedale Chapter of the Rotary Club, and that City Manager Bob Hart was not only a member, but was the driving force behind the establishment of the chapter in 2009. He summarized some of the many ways Rotary benefits the community, including providing coats and school uniforms through the Kennedale Professional Firefighters Angel Tree Program. He wished Bob well, and said he has always embodied the Rotary Club slogan: "Service above self." Bob was then presented with an award.

Ronnie Nowell, 317 Bowles Court, stated that he's been a resident since 1965, and that he understands people do not like their bills to go up, but he knows that efforts have been made to mitigate the cost to residents, concerning the water rates. He pointed out that repairing and replacing old infrastructure costs considerably more than putting in new lines. He also encouraged people who had questioned the integrity of Council, staff, or the Mayor, to be reassured that there's never been a question in his mind about any of them being above board.

Susan Dalrymple, 1008 Oakridge Court, My spouse and I moved here a few months after Rotary

was founded, and that's how we found our place in the community. We're a military family, and we love this little town; that's why we stay. In a very short time, I've seen sidewalks go in, vegetation go in, the Section House rebuilt, so many improvements, and I wanted to say Thank you to Bob Hart for all his dedicated service.

John Clark, 100 Meadowlake Court stated that ten years ago when Bob Hart came to Kennedale, one of the first ideas he brought was this new form of governance. Dreams of residents from years ago have started to come to fruition in your tenure. I'm not sure everyone knows that you encouraged volunteerism, civic pride, opportunity for community engagement – even negative. Additionally, you gave us Art in the Park, and encouraged us to have a Texas Independence Day Celebration. I'm proud every time I drive through town and see the rotary flags displayed. Previously, our small city didn't have much of a voice, but your positive approach has been recognized by neighboring cities. We have people on key committees in the region, sitting next to Mansfield and Arlington. We were one of the four founding cities on SETTP (w/Arlington, Mansfield, and Grand Prairie). I thank you for your service to this city.

Linda Pavlik, 6115 Camp Bowie Blvd, Fort Worth, Texas stated that she was here tonight as a community advocate and public engagement specialist. Over the past 10 years, while Mr. Hart and I don't always agree, but he's never discouraged discussion.

Greg Adams, 704 Crestview Drive, stated that Bob isn't perfect, but he's a man of impeccable character. Like begets like. Our city staff is competent, resourceful, and resilient. They reflect the one that hired them. Their dedication is needed now more than ever. The citizens of Kennedale owe a great deal of gratitude to the City Manager and his staff. To those of you on the council, I have one word: Fight.

Tim Smith, 1261 Wendy Court, stated that he has lived and worked here since the early 80s. First, I want to say to Mr. Hart that any dealings I've had with you, you've been open and above board. I worked mostly with the school district. Whatever the disagreements are, the rhetoric and the non-belief only hurts the community.

IX. REPORTS/ANNOUNCEMENTS

A. Updates from City Council

All Council members spoke in support of City Manager Bob Hart and wished him well.

B. Updates from the Mayor

1. Recognize Speed Fab Crete for renovations to the Fire Station

Mayor Johnson spoke in support of City Manager Bob Hart and wished him well.

C. Updates from the City Manager

1. Response to Jan Joplin Letter

City Manager Bob Hart stated the City had the Cambodian Delegation with us for the past eight days. We hosted the Provincial Governor and nine members of his senior staff, and were able to exchange information. He thanked the Council and Staff for being involved in that.

Bob Hart responded to Jan Joplin's questions from the Visitor's Forum from December 2016.

X. MONITORING INFORMATION

A. Monthly Financials - December 2016

B. Executive Limitations

C. Ends Review - Balanced Scorecard

Monitoring information updates are in the agenda packet for review.

XI. REQUIRED APPROVAL ITEMS (CONSENT)

A. Consider approval of minutes from December 19, 2016 regular meeting

B. Consider approval of minutes from January 14, 2017 special work session

C. Approve Schedule of Investment Activity for quarter ending December 31, 2016

D. Consider approval of Resolution 505 calling the General Election for May 6, 2017

E. 2016 Racial Profiling Report from the Police Department.

Motion To approve all required approval Items on (Consent) agenda. **Action** Approve, **Moved By** Michael Walker, **Seconded By** Charles Overstreet.

Motion passed Unanimously

XII. DECISION ITEMS

A. Case # PZ 17-01 to hold a public hearing and consider approval of Ordinance 620 regarding a zoning change from "C-1" Restricted commercial district and "R-3" Single family residential district to "EC-2" Employment District Office and Service district for an approximately 2.54 acre tract located at 5400-5424 High Ridge Rd and 5401-5417 Kennedale St, legal description of Lot 1R, Block 5, Oak Crest, Kennedale, Tarrant County, Texas.

1. Staff presentation
2. Public hearing
3. Staff response and summary
4. Action by the City Council

City Planner Rachel Roberts provided the staff presentation stating that the property is vacant. It is owned by the Kennedale Economic Development Corporation and was recently cleared and replatted into one lot to help with redevelopment efforts. The property is adjacent to the I-20 frontage road to the north and by commercial uses to the west and east. Residential uses abut the property to the south and southwest (single family residential and mobile home). Zoning classifications on surrounding property are Employment Center, C-1 restricted commercial (which permits mainly retail and office uses), the planned development district for QuikTrip, and single family residential (R-3). To the south but not adjacent to the site are several industrial uses (auto salvage). This property is shown as Employment Center in the Future Land Use Plan. The rezoning request conforms to the Comprehensive Land Use Plan. The requested

rezoning would allow for the kind of redevelopment in Oak Crest that is desired by the city. Based on the above analysis, staff recommends approval of the rezoning.

Public Hearing:

Mayor Johnson opened the public hearing; there was no one present requesting to speak. Mayor Johnson closed the public hearing.

There was no further discussion.

Motion To approve Ordinance 620 approving a zoning change. **Action** Approve, **Moved By** Michael Walker, **Seconded By** Charles Overstreet.

Motion passed Unanimously

B. Case # PZ 17-02 to hold a public hearing and consider approval of Ordinance 621 regarding an amendment to the Unified Development Code, as adopted by Ordinance 605, to amend Article 5 Village Districts Section 5.3 Form and Character to add building materials standards; to amend Article 20 Natural Resource Management Sections 20.4.B and 20.4.C to amend tree protection requirements; and to amend Article 13 Landscaping, Screening, and Lighting Section 13.6.C.3 Privacy Fence to amend regulations on buffering.

1. Staff presentation
2. Public hearing
3. Staff response and summary
4. Action by the City Council

City Planner Rachel Roberts provided the staff presentation stating that staff has been working with the new Unified Development Code (UDC), we have discovered some errors and some sections that are not as clear as they should be in order to have an easy-to-use document. Staff may bring additional changes to the City Council as needed. Recommended changes relate to Village District standards and fencing between incompatible districts.

Public Hearing:

Mayor Johnson opened the public hearing; there was no one present requesting to speak. Mayor Johnson closed the public hearing.

There was no further discussion.

Motion To approve Ordinance 621 amending the Unified Development Code. **Action** Approve, **Moved By** Kelly Turner, **Seconded By** Liz Carrington.

Motion passed Unanimously

C. Consider approval of bid award and contractor for the 42nd Year Community Development Block Grant (CDBG) Project for sanitary sewer improvements on Dick Price Road with Tarrant County Community Development and Housing

Public Works Director Larry Ledbetter stated that the bid opening was held at the office of Tarrant County Community Development on Wednesday, December 28, 2016. Seven formal bids were received at the 10:30 a.m. for the bid opening of the 42nd Year CDBG Project for

Sanitary Sewer Improvements at the 200-300 Block of Dick Price Road. Circle C Construction submitted the lowest total bid of \$145,303.00; which falls within the maximum allocation received of \$171,671.70. No supplemental funding may be required from the City. Staff recommends that Council recommend to Tarrant County the selection of Circle C Construction for the 42nd Year CDBG Project. Bid tabulations and engineering comments are in the packet for your review.

Motion To recommend to Tarrant County the selection of Circle C Construction for the 42nd Year CDBG Project. **Action** Approve, **Moved By** Liz Carrington, **Seconded By** Charles Overstreet.

Motion passed Unanimously

D. Consider authorizing the Mayor to sign agreement with the Economic Development Corporation (EDC) for the Hotel Occupancy Tax Funds

City Manager Bob Hart stated that this agreement would allow the implementation of the existing Ordinance.

Motion To authorize the Mayor to sign the agreement with the Economic Development Corporation for the Hotel Occupancy Tax Fund. **Action** Approve, **Moved By** Charles Overstreet, **Seconded By** Liz Carrington

Motion passed Unanimously

E. Review and consider contract for Animal Control services from North Texas Animal Control Authority

Chief Tommy Williams stated that staff is requesting approval for Animal Control services with North Texas Control Authority. Kerry Payne, the owner is here in the audience. As you are aware, Dianna Garcia has been out for months now with a serious back injury, and we need something to bridge the gap. I'm always afraid when we send out officers who are untrained to respond to a vicious dog report. This will address the on-call, and daily patrol service. We can get as much, or as little, as we want to pay for. The City will list his employees as our contract employees so that Fort Worth will continue to take the animals. There are some additional services that we do not currently offer. Staff feels this is a standard contract that will meet our needs until we can evaluate where Dianna is in her recovery.

Motion To approve a contract with North Texas Animal Control Authority for animal control services. **Action** Approve, **Moved By** Liz Carrington, **Seconded By** Kelly Turner.

Motion passed Unanimously

XIII. EXECUTIVE SESSION

Mayor Johnson recessed into executive session at 9:08 p.m.

A. The City Council may meet in closed session at any time during the work session or the regular session, pursuant to Section 551.071 of the Texas Government Code for 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 may conflict with the Open Meetings Act, including discussion on any item posted on the agenda and legal issues regarding litigation, settlement offers, and/or claims regarding the following matters:

1. Keith Kidwill vs The City of Kennedale, Texas
2. Waiver of Attorney/Client Privilege

The City Council will meet in closed session pursuant to Section 551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property for the following:

1. 108 New Hope Road
2. 6727 Hudson Village Creek Road
3. 532 Trent Street

The Kennedale City Council will meet in closed session pursuant to Section 551.087 of the Texas Government Code to deliberate the offer of a financial or other incentive to a business project with whom the city is conducting economic development negotiations.

1. Discuss a 380 Agreement for Hospitality Project

The City Council will meet in closed session pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

1. Appoint Interim City Manager

XIV. RECONVENE INTO OPEN SESSION, AND TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED

Mayor Johnson reconvened into open session at 9:21 p.m.

Motion To authorize the purchase of a lot and home located at 532 Trent Street and to pay relocation expenses, as discussed in Executive Session. **Action** Approve, **Moved By** Michael Walker, **Seconded By** Charles Overstreet.

Motion passed Unanimously

Motion To authorize the Mayor to sign a 380 Agreement for a Hospitality Project with Karmali Holdings, LLC. **Action** Approve, **Moved By** Michael Walker, **Seconded By** Charles Overstreet.

Motion passed Unanimously

Motion To appoint George Campbell as Interim City Manager and authorize the Mayor to negotiate a contract for personnel services. **Action** Approve, **Moved By** Michael Walker, **Seconded By** Charles Overstreet

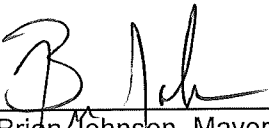
Motion passed Unanimously

XV. ADJOURNMENT

**Motion To adjourn. Action Adjourn, Moved By Kelly Turner, Seconded By Liz Carrington.
Motion passed Unanimously**

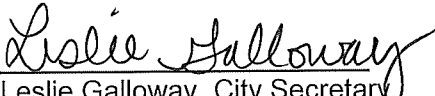
The meeting was adjourned at 9:55 p.m.

APPROVED:



Brian Johnson, Mayor

ATTEST:



Leslie Galloway, City Secretary

