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KENNEDALE CITY COUNCIL MINUTES

REGULAR MEETING | November 20, 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 5:40 p.m.

II. WORK SESSION

A. At this time City Council will continue interviewing advisory board applicants (previous interviews were held Thursday, October 19, Thursday, October 26, Thursday, November 2, Thursday, November 9, and Monday, November 13, 2017)
This item was taken out of order; discussed after II.C.

There were no interviews or discussion at this time.

B. Review of applicants and discussion of potential appointments to the Board of Adjustment/ Building Board of Appeals, Keep Kennedale Beautiful Commission, Kennedale Economic Development Corporation, Parks and Recreation Board, Planning and Zoning Commission, Library Advisory Board, Utility and Infrastructure Board, TownCenter Development District, and the Tax Increment Reinvestment Zone
This item was taken out of order; discussed after II.C and II.A.

There was no discussion at this time.

C. Discuss and provide direction regarding the City's long-range planning, goals, objectives, and strategic plan and a preferred process for updating such planning initiatives
This item was taken out of order; discussed before II.A.

Councilmember Gilley stated that the comprehensive plan covered 2009 – 2015, and an update was needed. Councilmember Lee and Mayor Pro Tem Joplin added that an advisory committee should be created. City Manager Campbell stated that he would prefer to delay any specific planning until a new Community Development Director was hired.

City Attorney Wayne Olson stated that comprehensive plans were originally intended to guide zoning decisions, and although their purpose has since expanded, that all Council decisions on zoning still must still take into consideration the goals defined by the document.

In response to a question from Mayor Johnson, Campbell stated that he felt it would be most effective to have the goals of a comprehensive plan in place first, so that they can shape the development of a strategic plan, which defines specific actions to achieve those goals. He added that he would suggest that Council agree upon a timeline and parameters for the project, and then request that the Planning & Zoning Commission facilitate the process.

Councilmember Turner stated that he would like to consider using a consultant. Campbell stated he would support that. Councilmember Gilley added that he would consider a consultant and possibly a cost benefit analysis on development. Councilmember Lee concurred. In response to Councilmember Turner's question, Campbell stated that this update was not included in the adopted FY17-18 budget, but that staff could work to identify potential funding, and that the cost would depend upon the scope of the project and what portions were completed by staff. He added that the more dramatic the changes to the plan are, the more time it would take to get adequate public input. Campbell also stated that there is currently quite a lot of vacant land that is primed for growth, but the community seemed to have conflicting opinions about the type of development that was desirable. He added that the City is deficient in parks; and that decisions need to be made about the ratio of single- vs. multi-family housing and the type and appearance of development best suited to Kennedale Parkway.

Councilmember Turner stated that he did not believe five to ten years was long enough for developments of that magnitude. Campbell responded that shorter plans recognize that cities must be dynamic by adapting to changing environments. Councilmember Gilley agreed, adding that a shorter plan is easier to modify and that keeping pace with a rapidly changing population and environment is a challenge, but he felt that the aim should be moving the community in the direction that the current residents hope for, while offering direction and oversight. Mayor Johnson agreed that a plan should be flexible and that some goals will, by their nature, extend beyond that five- or ten-year mark. He added the importance of acknowledging the successes of the current plan during this process, including additional parks and restaurants.

There was some discussion about the legal importance of any adopted plan or zoning not specifically deterring the development of multi-family housing.

Campbell stated that staff would aim for gathering an advisory committee after the start of the year. There was some discussion about the difficulty of keeping residents engaged and Councilmember Gilley proposed an online survey as a part of the planning. Mayor Johnson added that a live town hall meeting via social media or an online forum might be other options. Councilmember Turner stated the importance of engaging residents from all areas of the city, and in keeping residents consistently engaged, not just during processes like this one.

D. Discussion of items on regular agenda

There was no discussion at this time.

III. REGULAR SESSION

Mayor Johnson opened the Regular Session at 7:03 p.m.

IV. ROLL CALL

Present: Mayor Brian Johnson; Mayor Pro Tem Jan Joplin, Place 5; Rockie Gilley, Place 1; Liz Carrington, Place 2 *(arrived following Work Session; left before Executive Session)*; Sandra Lee, Place 3; and Kelly Turner, Place 4 *(arrived following Work Session)*. **Absent:** None

Staff: *City Manager George Campbell, City Secretary and Communications Coordinator Leslie Galloway, HR Director Kelly Cooper, Police Chief Tommy Williams, Public Works Director Larry Ledbetter, Public Works Superintendent Larry Hoover, Public Works Crew Leader, Ron Taylor, CSI Inspector Dennis Brown, Library Director Amanda King, City Attorney Wayne Olson*

V. INVOCATION

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

VI. UNITED STATES PLEDGE AND TEXAS PLEDGE

VII. VISITOR/CITIZENS FORUM

This item was taken out of order; discussed after VIII. Reports/Announcements.

- **Jeff Nevarez**, 338 Spring Branch Lane, requested that Council consider expanding the Parks Board from five to seven places, to accommodate more applicants.
- **Mark Babina**, 1056 Falcon Nest, stated that he was supportive of and grateful to City Manager George Campbell, Finance Director Brady Olsen, and the entire staff.
- **Daniel Bennett**, 408 Pemberton, White Settlement, requested that Council consider casting their votes for him on the Tarrant Appraisal District (TAD) Board ballot.
- **Laurie Sanders**, 208 W 5th St., also requested that Council consider expanding the Parks Board to seven places.
- **David Green**, 201 W Mistletoe, requested that Councilmembers focus on leadership and cooperation, rather than divisiveness. He added that Councils should be the voice of all residents, rather than the voice of those who happen to share their own personal views, and asked that each Councilmember vote on their own, rather than as a group.

VIII. REPORTS/ANNOUNCEMENTS

This item was taken out of order; discussed before VII. Visitor/Citizen Forum.

A. Updates from the City Council

- Councilmember Gilley stated that he attended a Local Government Liberty Summit.
- Mayor Pro Tem Joplin stated that residents saw a decrease on their water bills in November. She added that she attended two Kennedale Area Chamber of Commerce luncheons, a barbecue at the nursing home, a "Back the Blue" police banquet and Trunk-or-Treat; Council had interviewed more than 35 applicants for Advisory Boards over the past month; and had meetings with Commissioner Andy Nguyen, several local business owners, and the pastor of Blessed Hope.
- Councilmember Turner stated that he was invited to a meeting through the North Central Texas Council of Governments (NCTCOG) on a program called FirstNet, a cooperative effort between the federal government and AT&T that would give first responders priority access to cell reception during incidents, offering another line of communication. The program is expected to roll out in Texas in 2018-19, and nationwide within five years.

B. Updates from the Mayor

- The City is currently considering the use of more efficient LED lighting
- Talks are in progress with the City of Arlington regarding improvements to Sublett Road
  Thank you to Mayor's recognition of Donations to the Veterans and 9/11 Memorials
    - Sue West of the Kaufman County Heroes Foundation along with Friendship Riders and Allied Riders of Texas donated $1,500.00.
    - Tom Olson, Road Captain of the American Legion Riders of Mansfield Post 624, donated $540.00.
    - Staff has replaced the pump and is preparing to reseal the base. The fountain should be operable in about one month.
- The Christmas Tree Lighting will be Tuesday, December 5th, from 5:30 to 8:00 p.m.
- There is a Stormwater Survey at www.cityofkennedale.com/stormwater

- Mayor Johnson urged residents to contact their State Representative and NCTCOG to voice their concerns about the I-20/Loop 820 intersection on Kennedale Parkway

C. Updates from the City Manager

There were no updates from City Manager George Campbell at this time.

IX. MONITORING INFORMATION

A. Monthly Financials – October 2017

X. INCIDENTAL ITEMS

XI. REQUIRED APPROVAL ITEMS (CONSENT)

A. Consider approval of minutes from September 7, 2017 special meeting

B. Consider approval of minutes from September 14, 2017 special meeting

C. Consider approval of minutes from September 18, 2017 regular meeting

D. Consider approval of minutes from October 19, 2017 special meeting

E. Consider approval of minutes from October 26, 2017 special meeting

F. Consider approval of minutes from November 2, 2017 special meeting

G. Consider approval of minutes from November 9, 2017 special meeting

H. Consider approval of minutes from November 13, 2017 special meeting

I. Consider adopting Resolution 515, waiving the local matching funds on the New Hope Road Bridge Project, and applying those funds, instead, to other local approved structures

At the request of Mayor Pro Tem Joplin, item XI.I. (Resolution 515) was removed from the Consent Agenda for further discussion.

Motion To approve all required approval items on consent agenda, except item XI.I (Resolution 515). **Action** Approve, **Moved By** Turner, Seconded By Lee. **Motion passed Unanimously.**

City Manager George Campbell stated that Resolution 515 allows the City to waive their 10% match on the New Hope Road Bridge Project and divert that money to other specific drainage projects. Councilmember Gilley stated that there seemed to be no downside to this action.

Motion To approve Resolution 515, waiving the local matching funds on the New Hope Road Bridge Project, and applying those funds, instead, to other local approved structures. **Action** Approve, **Moved By** Gilley, **Seconded By** Lee. **Motion passed Unanimously**

XII. DECISION ITEMS

A. Consider adoption of Ordinance 638, revising the stormwater (drainage) utility fee

City Manager George Campbell stated that this fee adjustment supported the FY17-18 Budget, adopted by Council in September. He added that the Ordinance in the packet had an erroneous effective date of November 1, 2017, which had since been changed to December 1, 2017; and an updated version was provided at the dais for Councilmembers' reference.

Motion To approve Ordinance 638, revising the stormwater (drainage) utility fee. **Action** Approve, **Moved By** Turner, **Seconded By** Carrington. **Motion failed with a vote of 3-2, with Gilley, Lee, and Mayor Pro Tem Joplin voting against approval.**

B. Consider making appointments to the Board of Adjustment/Building Board of Appeals, Keep Kennedale Beautiful Commission, Kennedale Economic Development Corporation, Parks and Recreation Board, Planning and Zoning Commission, Library Advisory Board, Utility and Infrastructure Board, TownCenter Development District, and the Tax Increment Reinvestment Zone

Councilmember Turner stated that he would like to see the Parks and Recreation Board expanded to seven members, and that he felt Michael Chandler should not be denied continued service, as he had been a dedicated member for twelve or more years.

Councilmember Gilley stated that all Advisory Board interviews were conducted by himself, Lee, and Mayor Pro Tem Joplin; and that the slate brought forward for consideration was an attempt at balancing appointment of both standing members and new applicants.

Councilmember Turner stated that he was unable to attend the interviews due to work, but that increased communication regarding special meeting scheduling would be appreciated.

Motion To approve David Deaver, Michael Chandler, and Phil Wallace as members of the Parks and Recreation Advisory Board; and to request an item be placed on the Monday, December 18 Regular Meeting agenda to consider expanding the membership by two places. **Action** Approve, **Moved By** Turner, **Seconded By** Carrington. **Motion passed with a vote of 4-1, with Lee voting against approval.**

Motion To approve the slate as presented for the Board of Adjustment/Building Board of Appeals (BOA/BBA). **Action** Approve, **Moved By** Mayor Pro Tem Joplin, **Seconded By** Lee.

Councilmember Turner stated that during Work Session, Council discussed the importance of planning and development, and that the primary boards involved include P&Z and BOA/BBA. He added that Council should be particularly thoughtful in their appointments to these boards, and that while new voices are important, he is hesitant to replace more than half of this quasi-judicial board – including both the chair and vice-chair – with inexperienced members. He stated that there could be potential ramifications, including legal issues, for the community.

Mayor Pro Tem Joplin stated that she did not consider the titles of chair or vice-chair when deciding who should continue their service. She added that Lana Sather and Azam Shaikh did have experience serving on the board, and were not replaced.

Councilmember Turner stated that policy was to move current alternates into acting places and appoint new members to the alternate places. Councilmember Carrington concurred.

Motion To amend the motion to approve the slate as presented, by moving current members Altom and Nevarez into Places 1 and 3, and new members Elam and Clementi into alternate

Places 7 and 9. **Action** Amend, **Moved By** Turner, **Seconded By** Carrington. **Motion failed with a vote of 3-2, with Gilley, Lee, and Mayor Pro Tem Joplin voting against approval.**

Mayor Johnson stated that, if there was no further discussion, he now called for a vote on the original motion, to approve the slate as presented for BOA/BBA.
Motion passed with a vote of 3-2, with Turner and Carrington voting against approval.

Motion To approve the slate as presented for the Economic Development Corporation (EDC). **Action** Approve, **Moved By** Mayor Pro Tem Joplin, **Seconded By** Gilley.

Councilmember Turner stated that he saw no reason to remove standing members without reason when there were already three vacant places available for new appointments.

Motion To amend the motion to approve the slate as presented, by reappointing Ron Whitley to Place 3, rather than Allen Ray; and instead appointing Allen Ray to Place 7, rather than Councilmember Sandra Lee. **Action** Amend, **Moved By** Turner, **Seconded By** Carrington. **Motion passed with a vote of 3-2, with Gilley abstaining; Lee, and Mayor Pro Tem Joplin voting against approval; and Mayor Johnson deciding the tie with a vote for approval.**

Mayor Johnson stated that, if there was no further discussion, he now called for a vote on the amended motion, to appoint Cathy Brown (Place 1), Ronald Whitley (Place 3), Allen Ray (Place 5), and Hollis Matthews (Place 7) to the EDC. **Motion passed unanimously.**

Motion To approve the slate as presented, replacing Vickie Chandler (who declined the nomination) with Carole Ray for the Keep Kennedale Beautiful Commission (KKB). **Action** Approve, **Moved By** Mayor Pro Tem Joplin, **Seconded By** Lee. **Motion passed unanimously.**

Motion To approve the slate as presented for the Library Advisory Board. **Action** Approve, **Moved By** Turner, **Seconded By** Lee. **Motion passed unanimously.**

Motion To approve the slate as presented for the Tax Increment Reinvestment Zone (TIRZ) Board. **Action** Approve, **Moved By** Mayor Pro Tem Joplin, **Seconded By** Turner. **Motion passed unanimously.**

Motion To approve the slate as presented for the TownCenter Development District (TDD) Board. **Action** Approve, **Moved By** Mayor Pro Tem Joplin, **Seconded By** Carrington. **Motion passed 4-0, with Turner abstaining.**

Motion To approve the slate as presented for the Utility and Infrastructure Board (UIB) Board. **Action** Approve, **Moved By** Gilley, **Seconded By** Turner. **Motion passed unanimously.**

Motion To approve the slate as presented for the Planning and Zoning Commission (P&Z) Board. **Action** Approve, **Moved By** Mayor Pro Tem Joplin, **Seconded By** Lee.

Councilmember Turner stated that P&Z would be vital to the process of updating the comprehensive plan, and that he would prefer to reappoint Carolyn Williamson on the board.

Motion To amend the motion to approve the slate as presented, by reappointing Carolyn Williamson to Place 1, rather than Lary Adkins. **Action** Amend, **Moved By** Turner, **Seconded By** Carrington. **Motion failed with a vote of 3-2, with Gilley, Lee, and Mayor Pro Tem Joplin voting against approval.**

Mayor Johnson stated that, if there was no further discussion, he now called for a vote on the original motion, to approve the slate as proposed for P&Z.

Motion passed with a vote of 3-2, with Turner and Carrington voting against approval.

C. Discuss and consider the casting of votes for the 2018 Tarrant Appraisal District (TAD) Board of Directors

Motion To approve the casting of all six (6) votes for Daniel J. Bennett. **Action** Approve, **Moved By** Gilley, **Seconded By** Turner. **Motion passed unanimously.**

XIII. EXECUTIVE SESSION

The City Council may meet in closed session pursuant to the Texas Government Code for the following matters:

• Pursuant to Section 501.074: Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, including appointees to Ci ty boards and commissions.

• Seek advice from the City Attorney regarding the interpretation of City Charter requirements regarding vacancies and forfeiture of office.

• Pursuant to Section 501.071: 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 the Open Meetings Act.

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

Mayor Johnson reconvened into open session at 9:09 p.m. No action was taken at this time.

XV. ADJOURNMENT

Motion To adjourn. **Action** Adjourn, **Moved By** Turner, **Seconded By** Mayor Pro Tem Joplin. **Motion passed Unanimously**

The meeting was adjourned at 9:10 p.m.

APPROVED:

Brian Johnson

BRIAN JOHNSON, MAYOR

ATTEST:

Leslie Galloway

LESLIE GALLOWAY, CITY SECRETARY

CITY OF KENNEDALE ★ TARRANT COUNTY, TEXAS ★ SEAL