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KENNEDALE CITY COUNCIL MINUTES

REGULAR MEETING | OCTOBER 15, 2019
CITY HALL COUNCIL CHAMBERS
405 MUNICIPAL DRIVE, KENNEDALE, TX 76060
WORK SESSION AT 5:30 PM | REGULAR SESSION AT 7:00 PM

I. CALL TO ORDER

Mayor Brian Johnson called the meeting to order at 5:32 p.m.

II. WORK SESSION

A. Discussion regarding implementation of a "fine-free" structure for the Kennedale Public Library and an annual fee for those cardholders living outside the legal boundaries of the City of Kennedale

City Manager George Campbell stated that, following distribution of an informal staff report regarding this proposal, that Councilmember Chris Pugh requested further discussion.

There was a brief discussion about the potential for loss of items, the calculation of the non-resident cardholder fee, staff time dedicated to fees, and feedback from Library Directors at other Cities who had already moved to this "fine-fee" structure.

The Council directed staff to place an Ordinance implementing these recommendations on the Tuesday, October 22 Special Meeting agenda.

B. Discussion of potential changes to the composition, charge, and meeting requirements for the Utility and Infrastructure Board (UIB)

City Manager George Campbell stated that, during the board and commission appointment process, the Council stated a desire to consider amendments to the charge and composition of the UIB, and that a draft of proposed changes was included in the packet, which would include limiting the UIB to consideration of topics specifically assigned by the City Council, meeting only when directed by Council, and being composed of two members from the Economic Development Corporation (EDC) Board, the Parks and Recreation Board, and the Planning and Zoning (P&Z) Commission, with the seventh place and two alternate places being open to anyone eligible for board service, including a citizen not currently serving on any board. Additionally, the Council would appoint the Chair and Vice Chair, and (because the UIB is advisory) no Councilmember would be eligible for appointment to the Board. Campbell noted that, even with these revisions, several of the standing UIB members could be reappointed.

Following a brief discussion, the Council directed staff to place an Ordinance on the next Regular Meeting agenda that would accomplish these amendments to the UIB.

C. Discussion regarding proposal to conduct an impact fee study five-year update

Public Works Director Larry Hoover stated that the last impact fee study was completed by

Freese and Nichols (FNI) in 2016, that an update would take several months, and that staff would recommend contracting with FNI for the update. Hoover stated that he was available to answer questions from the Council regarding the staff report and attachments in the packet.

City Manager George Campbell stated that this was an expensive study, but was required by State law to be updated every five years. There was some discussion of the purpose and use of impact fees, the proportionality of these fees, the current fees, and projects that are eligible for funding by impact fees. Campbell noted that this study would be eligible.

Following a brief discussion, the Council directed staff to place a contract for the proposed impact fee study on the next Regular Meeting agenda.

D. Discussion of items on the regular agenda

In response to a question from Mayor Pro Tem Sandra Lee regarding Decision Item B., Finance Director Lakeita Sutton stated that the proposed contract with STW was for a term of three years (not four years as indicated in the draft in the packet), and that a redlined version had been provided to the Council. Sutton stated that, historically, the City had contracted annually with STW, but that the cost increase last year was ~$2,000, which prompted staff to take advantage of the option to lock in pricing for a longer term, as no change in providers was anticipated.

In response to a question from Mayor Brian Johnson regarding Decision Items D., E., and F., Director of Planning and Economic Development Melissa Dailey offered an overview of the updated requirements under the new standards recently adopted by the Council, which would provide for walkability, street presence, and higher quality building form for any Multi-Family (MF) development. She added that, throughout the DFW Metroplex, projects like the three on this agenda are serving as catalysts for additional development. In response to a question from Councilmember Chris Pugh regarding the Urban Village zoning that was recently approved by the Council on Little Road, Dailey noted that under MF Zoning there was no allowance for a mix of uses.

Mayor Johnson adjourned to Executive Session at 6:01 p.m.

III. REGULAR SESSION

Mayor Johnson called the Regular Session to order at 7:00 p.m.

IV. ROLL CALL

Present: Mayor Brian Johnson; Mayor Pro Tem Sandra Lee, Place 3; Chris Pugh, Place 2; Linda Rhodes, Place 4; **Absent:** Josh Altom, Place 1; Chad Wandel, Place 5; ***Staff:*** *City Manager George Campbell, City Secretary & Communications Coordinator Leslie E. Galloway, Director of Finance and Information Technology Lakeita Sutton, Public Works Director Larry Hoover, Director of Planning and Economic Development Melissa Dailey, Library Director Amanda King, Fire Chief James Brown, Police Chief Tommy Williams, Director of Human Resources and Administrative Services Danielle Clarke, City Attorney Drew Larkin*

V. INVOCATION

Pastor Nelda Barrett Murraine of First United Methodist Church Kennedale offered the invocation.

VI. UNITED STATES PLEDGE AND TEXAS PLEDGE

VII. VISITOR AND CITIZEN FORUM

- **Sara Johnson**, *700 Crestview Drive*, spoke on behalf of Senior Outreach – Kennedale regarding the group's programs and seniors' needs.
- **Joe Palmer**, *4017 Sanguinet Court, Fort Worth*, spoke on behalf of KABO, regarding a new law that would allow the public to speak on any agenda item.
- **Janice Howard**, *332 S New Hope Road*, spoke regarding her concerns with the actions of Kennedale Police Department officers.
- **Mary Brown**, *332 S New Hope Road*, spoke in support of the Kennedale Police Department and thanked them.
- **Nelda Barrett Murraine**, *229 W 4th Street*, spoke on behalf of First United Methodist Church of Kennedale, thanking the community for sponsoring and supporting Concert in the Park, which collected food for the Mission Store Food Pantry.
- **Jeff Nevarez**, *388 Spring Branch Lane*, spoke on behalf of the Kennedale Rotary Club and the Parks and Recreation Board, announcing the Rotary Chili Cook-Off on Saturday, November 2; and thanking staff and volunteers for the success of Concert in the Park.
- **Richard Weber**, *2704 Crestmoor Court, Arlington*, spoke regarding items that he would have expected to see on this agenda.
- **Laurie Sanders**, *208 W 5th Street*, invited the community to Keep Kennedale Beautiful's (KKB) Fall Sweep on Saturday, October 19.
- **Glen Bucy**, *101 Hill County Road 4415, Grandview*, spoke regarding his company's offering of geolocation service for first responders.
- **Iris Esprit**, *309 E Kennedale Parkway*, spoke regarding her concerns with the process of obtaining a Certificate of Occupancy (CO).
- **Pat Vader**, *801 Pennsylvania Avenue*, spoke regarding his desire to see the Council limit high-density development.

VIII. REPORTS AND ANNOUNCEMENTS

A. Updates from the City Council

- **CHRIS PUGH, Place 2**, commended Jeff Nevarez, Laurie Sanders, and all volunteers for their work on Concert in Park; and announced that he attended the quarter auction for Able's Front Porch, adding that there was another auction scheduled for next Tuesday.
- **MAYOR PRO TEM SANDRA LEE, Place 3**, congratulated Jeff Nevarez on Concert in the Park and thanked Sara Johnson for her work with seniors in the community.
- **LINDA RHODES, Place 4**, announced that she attended Concert in the Park, the quarter auction benefitting Able's Front Porch, and the September Youth Advisory Council (YAC) meeting; and thanked City Secretary Leslie Galloway for her work with YAC.
- **JOSH ALTOM, Place 1** (*submitted via email; read by Mayor Johnson*), announced that he was unable to attend this meeting due to scheduled swiftwater training; and that he had attended Rotary meetings and was becoming more involved with the school district, which is implementing a new reading program called 'Blazing a Trail for Literacy'.

B. Updates from the Mayor

Mayor Johnson announced that he attended Concert in the Park and the One Safe Place gala benefiting Camp Hope; and that he recently completed his term as Chair of Tarrant Regional Transportation Coalition (TRTC) and was succeeded by City of Arlington Mayor

Jeff Williams. He then proclaimed Saturday, November 2, 2019 as Arbor Day.

C. Updates from the City Manager

City Manager George Campbell commended Jeff Nevarez and the Parks Board for Concert in the Park; and announced that the Parks Board had re-elected David Deaver as Chair and newly-elected Jeff Nevarez as Vice Chair; and that the Keep Kennedale Beautiful (KKB) Commission had newly-elected Laurie Sanders as Chair and Kenneth Michels as Vice Chair.

D. Police Department Swearing-In Ceremony

Mayor Johnson and Councilmember Pugh swore in Sergeant Tara Culpepper, Officer Kevin Hubbell, and Officer Keith Scott.

IX. INCIDENTAL ITEMS

X. MONITORING INFORMATION

A. Monthly Financials for September 2019

There was no discussion at this time.

B. Schedule of Investment Activity for quarter ending September 30, 2019

There was no discussion at this time.

C. KEDC Financial Report for July 2019

There was no discussion at this time.

D. KEDC Financial Report for August 2019

There was no discussion at this time.

XI. REQUIRED APPROVAL ITEMS (CONSENT)

A. Approval of the minutes from the 2:00 p.m. September 13, 2019 Special Meeting

B. Approval of the minutes from the 2:30 p.m. September 13, 2019 Special Meeting

C. Approval of the minutes from the September 17, 2019 Regular Meeting

D. Consider appointment of Vice Chair of the Planning & Zoning (P&Z) Commission

Motion To Approve. **Action** Approve the Consent Agenda with the amended minutes as presented. **Moved By** Rhodes. **Seconded By** Mayor Pro Tem Lee. **Motion passes unanimously.**

XII. DECISION ITEMS

A. Consider Resolution 561, adopting an amended City of Kennedale Purchasing Policy

Finance Director Lakeita Sutton stated that adoption of this policy would serve to restore the City Manager's purchasing authority to $49,999.99, which was in place until two amendments ago, when it was lowered to $25,000.00. Sutton stated that comparisons to nearby and comparable cities were included in the packet. In response to a question from Mayor Johnson, Sutton stated that the advantages of this higher limit included fewer delays, especially on items already included in the approved budget, and better relationships with vendors.

- **Richard Weber**, *2703 Crestmoor Court*, Arlington, spoke in opposition of this item.
- **Sara Johnson**, *700 Crestview Drive*, registered in opposition, but did not speak.

Motion To Approve. **Action** Approve Resolution 561, adopting an amended City of Kennedale Purchasing Policy. **Moved By** Pugh. **Seconded By** Rhodes. **Motion passes 2-1, with Mayor Pro Tem Lee voting against.**

B. Consider authorizing the City Manager to enter into a three-year contract with STW Inc. for financial software

Finance Director Lakeita Sutton stated that, as discussed during work session, staff was pleased with STW and saw no reason to change providers in the near future and, therefore, wished to lock in pricing for the next three years.

- **Richard Weber**, *2703 Crestmoor Court*, Arlington, spoke regarding the lack of information provided in the staff report.

Motion To Approve. **Action** Approve authorizing the City Manager to enter into a three-year contract with STW Inc. for financial software. **Moved By** Rhodes. **Seconded By** Mayor Pro Tem Lee. **Motion passes unanimously.**

C. Consider authorizing City Manager to enter into an agreement with Halff and Associates at a cost of $16,500 for professional engineering services to evaluate the impacts and costs associated with stabilizing the streambank adjacent to Valley Lane in an effort to mitigate erosion and prevent future damage to the roadway

Public Works Director Larry Hoover stated that this agreement provided for a concept design to address the erosion affecting Valley Lane, which would begin the necessary process with the Federal Emergency Management Agency (FEMA) and the U.S. Army Corps of Engineers on this roadway, which lies in a floodplain. There was some discussion of timeframes, previous projects that Halff had completed for the City, and this project's relationship to the work on Trent Street.

Motion To Approve. **Action** Approve authorizing City Manager to enter into an agreement with Halff and Associates at a cost of $16,500 for professional engineering services to evaluate the impacts and costs associated with stabilizing the streambank adjacent to Valley Lane in an effort to mitigate erosion and prevent future damage to the roadway. **Moved By** Pugh. **Seconded By** Mayor Pro Tem Lee. **Motion passes unanimously.**

D. **CASE # PZ 19-07** — Conduct a public hearing and consider Ordinance 670, regarding a request by Trifecta Homes, LLC for a rezoning from "R3" Residential to "MF" Multi-Family for approximately 4 acres located at 962 Corry A Edwards Drive, Emerald Crest Estates, Block 1, Lot 6, 968 Corry A Edwards Drive, Emerald Crest Estates, Block 1, Lot 5R, 1022 N. Bowman Springs Road, Block 1, Lot 4R, 1028 N. Bowman Springs Road, Block 1, Lot 3R, 1034 N. Bowman Springs Road, Block 1, Lot 2R, and 1040 N. Bowman Springs Road, Block 1, Lot 1R, City of Kennedale, Tarrant County, Texas

Mayor Brian Johnson stated that a Special Council meeting had been scheduled for next

Tuesday, October 22, 2019, at 7:00 p.m., in these Council Chambers, at which time all Councilmembers would be in attendance, and that the public hearings for each of the three zoning cases on this agenda (Decision Items D., E., and F.) would begin tonight and continue to that meeting. He added that anyone who had signed up to speak would have the option to either speak tonight or to hold their comments until the next meeting.

Director of Planning and Economic Development Melissa Dailey gave a brief overview of the case including adjacent uses and how the request aligned with the Future Land Use Plan and principles of the Comprehensive Plan, stating that the Planning and Zoning (P&Z) Commission, with a vote of 4-2, recommended approval, as well as staff.

Tejas Naik of Trifecta Homes, offered details and history regarding his company and the proposed developments related to cases 19-07 and 19-08.

Mayor Brian Johnson opened the public hearing at 8:17 p.m.

There were no speakers at this time.

Motion To Continue. **Action** Continue the public hearing on CASE #PZ 19-07 to the Tuesday, October 22, meeting at 7:00 p.m., in these Council chambers, when all of the Councilmembers could be present. **Moved By** Pugh. **Seconded By** Rhodes. **Motion passes unanimously.**

In response to questions from the Council, Dailey stated that the number of units was 24 and that the size of the lot was 4.5 acres, noting that the pricing would be near the median home price for Kennedale and that the units would be individually owned, rather than rented.

E. **CASE #PZ 19-08** — Conduct a public hearing and consider Ordinance 681, regarding a request by Trifecta Homes, LLC for a rezoning from "C1" Commercial to "MF" Multi-Family for approximately 2.5 acres located at 801 Potomac Parkway, M. P. Lamar Survey, Abstract 987, Tract 2, City of Kennedale, Tarrant County, Texas

Director of Planning and Economic Development Melissa Dailey gave a brief overview of the case including adjacent uses and how the request aligned with the Future Land Use Plan and principles of the Comprehensive Plan, stating that the Planning and Zoning (P&Z) Commission, with a vote of 4-2, recommended approval, as well as staff. Dailey added that these townhomes would help support the Urban Village (UV) that was recently approved to the north; and that townhomes provide more guarantee of maintenance as the HOA dues include exterior building maintenance.

Tejas Naik of Trifecta Homes, stated that the development would be about 8 to 10 townhomes and that he was available to answer any questions.

Mayor Johnson opened the public hearing at 8:24 p.m.

- **Danielle Van Beest**, *6500 Virginia Square, Arlington*, spoke against this request.

Motion To Continue. **Action** Continue the public hearing on CASE #PZ 19-08 to the Tuesday, October 22, meeting at 7:00 p.m., in these Council chambers, when all of the Councilmembers could be present. **Moved By** Pugh. **Seconded By** Mayor Pro Tem Lee.

In response to questions from the Council, Dailey stated that zoning should allow for flexibility regarding market demands, but aim to control the quality of development. She briefly discussed potential ad valorem tax revenue of the proposed developments related to these three cases.

Motion passes unanimously.

F. **CASE #PZ 19-09** — Conduct a public hearing and consider Ordinance 682, regarding a request by Devan Pharis for a rezoning from "R3" Residential to "MF" Multi-Family for approximately 11 acres located at 5306 Kennedale Sublett Road, Block 1, Lot 2, Vaquero Coker Addition, 5310 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1L, 5308 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1G, 5308 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1G, 5306 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1K Homesite, 5306 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1J, 5306 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1M Homesite, 1996 Palm Arbor 28x66 LB #PFS411170& Palm Harbor, 3176 Hawkins Joplin Road, James R Hawkins Survey, Abstract 792, Tract 1H, 3190 Hawkins Joplin Road, James R Hawkins Survey, Abstract 792, Tract 1F, 1989 High Chaparral 28 x 56, LB #Tex0340915 Tiffany, 3196 Hawkins Joplin Road, James R Hawkins Survey, Abstract 792, Tract 1E, City of Kennedale, Tarrant County, Texas

Director of Planning and Economic Development Melissa Dailey gave a brief overview of the case including adjacent uses and how the request aligned with the Future Land Use Plan and principles of the Comprehensive Plan, stating that the Planning and Zoning (P&Z) Commission, with a vote of 4-2, recommended approval, as well as staff. She noted that apartments offered a good transition between residential and commercial and discussed the potential ad valorem revenue for the proposed development as well as the traffic flow.

The representing realtor, Jim Maibach of Peyco Southwest Realty, discussed surrounding uses, reiterating that an apartment would be a good transitional use for this land.

Patrick Pine of Vaquero Ventures discussed building design elements, walkability, drainage and the proposed detention pond, light pollution mitigation, screening, setbacks, traffic patterns, and sightlines; and gave examples of his company's past developments. He also noted that his firm held a neighborhood meeting with nearby homeowners to hear and respond to concerns.

Mayor Brian Johnson opened the public hearing at 8:54 p.m.

- **Don Coker**, *5306 Sublett Road*, spoke in favor of the request.

In response to questions from the Council, Dailey stated that there were 280 units, and noted that staff had been a part of the neighborhood meeting and felt it was a positive outcome.

Mayor Johnson requested that staff reach out to Winding Creek and Georgetown in the Park neighbors for meetings with the developers.

Motion To Continue. **Action** Continue the public hearing on CASE #PZ 19-09 to the Tuesday, October 22, meeting at 7:00 p.m., in these Council chambers, when all of the Councilmembers could be present. **Moved By** Pugh. **Seconded By** Mayor Pro Tem Lee. **Motion passes unanimously.**

XIII. EXECUTIVE SESSION

THE CITY COUNCIL MET IN EXECUTIVE SESSION IMMEDIATELY FOLLOWING THE WORK SESSION, BUT BEFORE THE REGULAR SESSION.

A. Discussion with the City Attorney regarding the contract with the City of Arlington for operations and maintenance of the water and wastewater utility system and the early termination and release agreement with Global Water Management, LLC

B. Discussion with the City Attorney regarding salvage yards, including A&A Pickup & Van, Inc., and special exception/special use permits

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

XV. ADJOURNMENT

Motion To Adjourn. **Action** Adjourn. **Moved By** Mayor Pro Tem Lee. **Seconded By** Rhodes. **Motion passes unanimously.**

Mayor Brian Johnson adjourned the meeting at 9:03 p.m.

APPROVED:

BRIAN JOHNSON, MAYOR

ATTEST:

LESLIE E. GALLOWAY, CITY SECRETARY