KENNEDALE CITY COUNCIL MINUTES

REGULAR MEETING | NOVEMBER 19, 2019
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE
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 5:30 p.m.

II. WORK SESSION

A. WORK SESSION REPORTS

1. Presentation by the City of Arlington regarding the Water and Wastewater Utility System Operations and Maintenance (O&M) Agreement

Mayor Brian Johnson stated that this presentation had been postponed.

2. Update on Safe Routes to School Program

Director of Planning and Economic Development Melissa Dailey gave an overview of the Safe Routes to School (SRTS) Program, a partnership with the North Central Texas Council of Governments (NCTCOG), aimed at improving pedestrian safety surrounding the James F. Delaney Elementary and James A. Arthur Intermediate Schools. She stated that the project was expected to be completed in 2021. There was some discussion regarding streets in this area that are designated as one-way during portions of the day.

3. Discussion of current regulations regarding farmers markets

Director of Planning and Economic Development Melissa Dailey gave an overview of City, County, and State regulations regarding farmers markets including inspection and permitting.

4. Discussion regarding maintaining a separate bank account for the Economic Development Corporation (EDC)
THIS ITEM WAS TAKEN OUT OF ORDER. IT WAS PRESENTED IMMEDIATELY FOLLOWING WORK SESSION REPORT 5.

Finance Director Lakeita Sutton stated that staff recommended the closing of the separate bank account set up in 2018 for EDC monies, noting that the EDC was audited separately from the City and that neither of the most recent external auditing firms had recommended utilizing a separate bank account for the EDC as the practice of fund accounting already accomplishes adequate accounting of EDC monies. She added that the EDC Board had also voted unanimously to recommend closing of the account, which would save the City about $600 annually and improve workload efficiencies.

At this time, it was the consensus of the Council for staff to close the separate EDC bank account, move the monies from that account back into the City's consolidated pooled cash fund, and to credit those monies to the EDC Fund.

5. Receive a presentation and hold a discussion regarding the Greenways Project
   THIS ITEM WAS TAKEN OUT OF ORDER. IT WAS PRESENTED IMMEDIATELY FOLLOWING WORK SESSION REPORT 3, BUT BEFORE REPORT 4.

Director of Planning and Economic Development Melissa Dailey gave an overview of the Greenways Project, noting that staff was coordinating with the National Parks Service (NPS) on a plan to utilize current parkland to create a connected system following the local creeks and, eventually, tying into the regional Veloweb.

B. REQUESTS FOR CLARIFICATION OF ITEMS LISTED ON THE AGENDA

There was no discussion at this time.

Mayor Brian Johnson recessed to Executive Session at 6:15 p.m.

III. EXECUTIVE SESSION

Council recessed to Executive Session twice – first at 6:15 p.m. and then at 7:47 p.m.

A. ***PURSUANT TO §551.071*** *— 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 of any item posted on the agenda, legal issues regarding the Open Meetings Act, and the following:*

1. Discussion with the City Attorney regarding salvage yards, including A&A Pickup & Van, Inc., and special exception/special use permits
2. Discussion with the City Attorney regarding requests made under the Texas Public Information Act
3. Discussion with the City Attorney regarding an early termination and release agreement with Global Water Management, LLC

B. ***PURSUANT TO §551.074*** *— Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee; and the following:*

1. Discuss and consider the City Manager's Annual Performance Evaluation

C. ***PURSUANT TO §551.087*** *— (1) Deliberation regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1):*

1. Discussion with the City Attorney regarding potential economic development incentive agreement with Quick Roofing

IV. REGULAR SESSION

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

Action, pursuant to the Executive Session, which was taken by the Council immediately after the Regular Session was called to order, is noted on item H.2.

A. ROLL CALL

Present: Mayor Brian Johnson, Mayor Pro Tem Sandra Lee, Place 3; Josh Altom, Place 1; Chris Pugh, Place 2; Linda Rhodes, Place 4; Chad Wandel, Place 5; **Absent:** NONE. ***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, Fire Chief James Brown, Police Chief Tommy Williams, City Attorney Drew Larkin, City Attorney Wayne Olson;* ***Consultants:*** *CEO Jean-Marie Alexander and President Craig Bames of Shield Engineering*

B. INVOCATION AND PLEDGES OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS

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

C. VISITOR AND CITIZEN FORUM

- **Richard Weber**, *2703 Crestmoor Court, Arlington*, requested that staff research whether the October 3, 2018 Planning and Zoning (P&Z) Commission agenda was posted 72 hours before the meeting.
- **John Hivale**, *418 Coker Valley Drive*, spoke regarding the City Manager's evaluation, agenda items F.4. and F.5., and a public hearing.
- **Phil Wallace**, *304 Arthur Drive*, spoke about recent Park Board considerations relating to the local baseball programs and fields.

D. REPORTS AND ANNOUNCEMENTS

1. Updates from the City Council
    - **JOSH ALTOM, Place 1**, announced that he attended the Parks Board meeting, a Greenways Project meeting, and an event at James A. Arthur Intermediate; and he thanked Fire Chief James Brown for his work on the literacy program.
    - **CHRIS PUGH, Place 2**, announced that he and his wife attended and helped sponsor the Community Dinner at First United Methodist Church (FUMC) and that he attended the Community Health Fair.
    - **MAYOR PRO TEM SANDRA LEE, Place 3**, recognized Tarrant County Commissioner Devan Allen and Precinct Administrator Jay Jackson (both in attendance) for their responsiveness to Kennedale and a recent toiletry drive benefitting TCC students; she announced that she attended the Health Fair and Moms Demand Action; and announced her candidacy for Constable of Precinct 7.
    - **LINDA RHODES, Place 4**, announced that she attended the one-year celebration for Senior Outreach along with Mayor Pro Tem Lee, but was unable to attend the Community Health Fair due to a ladies' tea at her church where food was collected for the FUMC Food Pantry.
    - **CHAD WANDEL, Place 5**, announced that he attended the FUMC Community Dinner along with Councilmember Pugh and encouraged attendance.

2. Updates from the Mayor

Mayor Brian Johnson announced that he attended the Community Health Fair, that his term as chair of TRTC had ended, and that he would be emceeing the Mayors' Council Dinner.

3. Updates from the City Manager

City Manager George Campbell reported that the City has issued a press release on Friday, November 15, regarding a recent announcement by FATHOM, the City's third-party customer service billing company, that they were going out of business. He added that staff was working to ensure a seamless transition for utility customers to a new billing provider and would continue providing updates via the newsletter and the website.

Campbell also announced the Christmas Tree Lighting event on Tuesday, December 3.

4. Discussion of Financial and Investment Reports for the City and the EDC

City Manager George Campbell reported that the format of the agenda had been streamlined, noting that financial reports for the City and the EDC (which had formerly been listed under "Monitoring Information" would now routinely appear under Reports and Announcements. He added that the financials had been provided by Director of Finance and Information Technology Lakeita Sutton, who was available to answer any questions from the Council.

E. <u>CONSENT AGENDA</u>

1. Approval of the minutes from the October 15, 2019 regular meeting

2. Approval of the minutes from the October 22, 2019 special meeting

3. Consider authorizing a five-year extension of the current contract with Waste Connections for residential and commercial solid waste collection, transport, disposal, and recycling services

   Motion Approve. **Action** Approve the Consent Agenda, with the amended October 22, 2019 minutes as presented. **Moved By** Rhodes. **Seconded By** Mayor Pro Tem Lee. **Motion passed unanimously.**

   Norm Bulaich of Waste Connections thanked Council for the City's continued patronage.

F. <u>ITEMS FOR INDIVIDUAL CONSIDERATION</u>

1. Discuss and consider adoption of Resolution 562, affirming the casting of votes for the 2020 Tarrant Appraisal District (TAD) Board of Directors

   - **Daniel J. Bennett**, *408 Pemberton Street, White Settlement*, spoke in support of TAD Board candidate Gary Losada.

Motion Approve. **Action** Approve adoption of Resolution 562, affirming the casting of all of the City's six (6) allotted votes for the 2020 Tarrant Appraisal District (TAD) Board of Directors for candidate Mike Leyman. **Moved By** Mayor Pro Tem Lee. **Seconded By** Wandel. **Motion passed unanimously.**

2. Consider adoption of Ordinance 684, amending the composition, charge, and meeting requirements for the Utility and Infrastructure Board (UIB)

City Manager George Campbell stated that this Ordinance had been drafted based upon Council's direction during the Work Session of the October 15 regular meeting.

Motion Approve. **Action** Approve Ordinance 684, amending the composition, charge, and meeting requirements for the Utility and Infrastructure Board (UIB). **Moved By** Wandel, **Seconded By** Rhodes. **Motion passed unanimously.**

3. Consider making appointments to the Utility and Infrastructure Board (UIB)

Motion Approve. **Action** Approve appointment to the Utility and Infrastructure Board (UIB) the following regular members: Austin Degenhart, Place 1; Martha Dibella, Place 2; Jeff Nevarez, Place 3; Kenneth Michels, Place 4; Darold Tippey, Place 5; Andrew Schaffer, Place 6; and Jeff Gregory, Place 7. **Moved By** Pugh, **Seconded By** Wandel. **Motion passed unanimously.**

Motion Approve. **Action** Approve appointment to the Utility and Infrastructure Board (UIB) the following alternate members: David Green, Place 8; and Johnny Trevino, Place 9. **Moved By** Rhodes, **Seconded By** Mayor Pro Tem Lee. **Motion passed unanimously.**

4. Consider authorizing the City Manager to enter into an agreement with Shield Engineering Group at a cost of $103,700.00 for the engineering design of water, wastewater, drainage, and paving improvements for Peggy Lane

Public Works Director Larry Hoover gave details of the agreement and the work to be completed, including the complications presented by trees within the roadway and stormwater drainage issues.

Motion Approve. **Action** Approve authorizing City Manager George Campbell to enter into an agreement with Shield Engineering Group at a cost of $103,700.00 for the engineering design of water, wastewater, drainage, and paving improvements for Peggy Lane. **Moved By** Wandel. **Seconded By** Pugh. **Motion passed unanimously.**

5. Consider authorizing the City Manager to enter into an agreement with Freese and Nichols to conduct a roadway, water, and wastewater impact fee study, at a cost of $100,000.00

Public Works Director Larry Hoover stated that this item had been presented to Council during the Work Session of the Tuesday, October 15 regular meeting, noting that the price had changed from $95,000 to $100,000; and he was available to answer questions.

Motion Approve. **Action** Approve authorizing City Manager George Campbell to enter into an agreement with Freese and Nichols to conduct a roadway, water, and wastewater impact fee study, at a cost of $100,000.00. **Moved By** Pugh. **Seconded By** Wandel. **Motion passed unanimously.**

Mayor Brian Johnson recessed to Executive Session at 7:47 p.m.

G. PUBLIC HEARINGS

THERE WERE NO PUBLIC HEARINGS POSTED ON THIS AGENDA.

H. TAKE ACTION NECESSARY, PURSUANT TO EXECUTIVE SESSION, IF NEEDED

1. Consider approval of or amendments to an employment agreement with George Campbell to serve as City Manager

There was neither action nor discussion regarding this item.

2. Take any other action deemed necessary as a result of the Executive Session
   THIS ITEM WAS TAKEN OUT OF ORDER. THE FOLLOWING ACTION WAS TAKEN IMMEDIATELY AFTER MAYOR JOHNSON CALLED THE REGULAR SESSION (SECTION IV) TO ORDER.

Motion Approve. **Action** Approve, pursuant to the Executive Session discussion, authorizing City Manager George Campbell to enter into any contracts necessary to complete the transition from FATHOM, including contracts with Systems and Software, Inc. (S&S) and VertexOne. **Moved By** Altom. **Seconded By** Wandel. **Motion passed unanimously.**

I. ADJOURNMENT

Motion Adjourn. **Action** Adjourn, **Moved By** Mayor Pro Tem Lee, **Seconded By** Wandel. **Motion passed unanimously.**

Mayor Brian Johnson adjourned the meeting at 8:41 p.m.

APPROVED:

BRIAN JOHNSON, MAYOR

ATTEST:

LESLIE E. GALLOWAY, CITY SECRETARY

CITY OF KENNEDALE
TARRANT COUNTY, TEXAS