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KENNEDALE CITY COUNCIL MINUTES

REGULAR MEETING | FEBRUARY 18, 2020
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 Work Session to order at 5:30 p.m.

II. WORK SESSION

A. WORK SESSION REPORTS

1. Receive a presentation, hold a discussion, and provide staff direction regarding domestic violence ordinances

Mayor Johnson introduced Burleson Mayor Ken Shetter, who noted that he was speaking in a dual capacity – both as a neighboring Mayor and as President of One Safe Place – and thanked the City of Kennedale and Kennedale ISD for their partnership with the organization. Also present for this discussion were KISD Superintendent Chad Gee and KISD Board Vice President John Clark. Mayor Shetter offered background, purpose, and observed results of these two ordinances, adopted by the City of Burleson to better serve victims of domestic violence, that were now being offered as model Ordinances to other Cities.

Mayor Shutter stated that the "Child Witness" Ordinance essentially made the commission of unjustified violence in the presence of a child a standalone misdemeanor offense; and that the "Strangulation" Ordinance establishes a protocol of providing emergency medical response on scene by default (without requiring that the victim request it). There was some discussion of statistics, the benefits of such protocols and charges, logistics of implementing these two Ordinances by police officers on a call, additional training required, and how these types of Ordinances fit into the current State political environment.

At 6:28 p.m., Mayor Shetter concluded his presentation, at which time he left the meeting and the Council moved from the floor of the Council Chambers to the dais to continue the Work Session.

2. Receive a presentation, hold a discussion, and provide staff direction regarding game room regulation

Mayor Johnson stated that this item was postponed to allow time to gather more information.

3. Presentation and discussion regarding the 46th Annual Community Development Block Grant (CDBG) Program proposal by the City of Kennedale for rehabilitation of water lines along Third Street

Public Works Director Larry Hoover stated that this project was for waterline improvements in the 400 to 600 blocks of Third Street, which would include abandoning in-place an existing asbestos cement line, removal of a galvanized line, and replacement with a 12" PVC line. There was some discussion of the zoning classifications within the projects limits, future plans for this area, and household income requirements necessary to qualify for CDBG funds. In response to a question from Councilmember Rhodes regarding a parcel noted as being F-1 Commercial but not shown on the map, Hoover stated that he would look into that.

B. REQUESTS FOR CLARIFICATION OF ITEMS LISTED ON THE AGENDA

There was no discussion at this time.

Mayor Johnson recessed to Executive Session at 6:39 pm.

III. EXECUTIVE SESSION

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 Destiny/USA Prime Baseball
2. Discussion with the City Attorney regarding salvage yards, including A&A Pickup & Van, Inc., Apache, Abs 1 Auto Parts, and special exception/special use permits

B. ***PURSUANT TO §551.072*** — *Deliberation regarding the purchase, exchange, lease, or value of real property:*

1. 1001 W Kennedale Pkwy, Fort Worth, TX 76140

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. Economic Development and Performance Agreement, Tax Abatement, and Chapter 380 Agreement with Compressed Air Systems for project located at Harris Corporation Addition, Block 1 Lot 1A2 (Linda Road)

IV. REGULAR SESSION

Mayor Brian Johnson called the meeting to order at 7:01 p.m.

A. ROLL CALL

PRESENT: Mayor Brian Johnson; Josh Altom, Place 1; Chris Pugh, Place 2; Mayor Pro Tem Sandra Lee, Place 3; Linda Rhodes, Place 4; Chad Wandel, Place 5; **ABSENT:** NONE; ***STAFF:*** *City Manager George Campbell, City Secretary and Communications Coordinator Leslie E. Galloway, Director of Planning and Economic Development Melissa Dailey, Director of Finance and Information Technology Lakeita Sutton, Director of HR and Administrative Services Danielle Clarke, Library Director Amanda King, Public Works Director Larry Hoover, Fire Chief James Brown, Police Chief Tommy Williams, City Attorney Drew Larkin*

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

- **John Hivale**, *418 Coker Valley Drive*, spoke about his concerns regarding the process of notifying residents of meetings, zoning requests, or hearings; and the importance of retail development with the growing population.

In response, Mayor Johnson stated that zoning cases required that the City send letters to all property owners within 200 feet of the property line. City Manager George Campbell noted that the Star-Telegram was the City's official newspaper and that staff watched closely to ensure notices appeared as required.

- **Sara Johnson,** *700 Crestview Drive*, thanked the Fire Department for their recent response to an event at her church, expressed concerns about the 9-1-1 dispatch, and (on behalf of Patricia Tarkington and Linda Neal of the Kennedale Senior Center) thanked the City Councilmembers who supported the baked potato fundraiser.
- **Cheryl Wallingford**, *332 S New Hope Road,* spoke regarding several concerns about the Kennedale Seniors development, specifically lighting and wildlife.
- **Richard Weber**, *2703 Crestmoor Court, Arlington,* requested that staff research the financial records of EDC land sales related to 1083 Bowman Springs Road (location of Spirals Gymnastics).

At the request of Mayor Johnson, City Manager George Campbell offered an update regarding Mr. Weber's previous request for research regarding the posting of an October 3, 2018 Planning & Zoning Commission (P&Z) agenda, noting that there had possibly been error regarding the posting of the agenda, specifically online; and that staff was now taking steps to ensure that it did not occur again, including the addition of the posting time and date to agenda certifications. He added that the only item on the agenda in question was a preliminary plat, which it was his understanding that, had the P&Z not met, the plat would have been approved by procedure of law 30 days after being filed (assuming it met the subdivision requirements); and therefore no corrective action would have been necessary, even if there was an error in the meeting posting.

D. REPORTS AND ANNOUNCEMENTS

1. Updates from the City Council

   - **CHAD WANDEL, Place 5**, thanked Mike's Taqueria in Arlington for allowing use of their kitchen for the Senior Center baked potato fundraiser.
   - **LINDA RHODES, Place 4**, thanked Director of HR and Administrative Services Danielle Clarke and staff for their work on the Employee Banquet; announced that she attended the FUMC Quarter Auction benefitting the Boy Scouts and that the February auction would benefit Kennedale Community Theatre in the Park, noting that Laurie Sanders could offer further details.
   - **MAYOR PRO TEM SANDRA LEE, Place 3**, thanked Sara Johnson and Thelma Kobeck for their work via Senior Outreach – Kennedale, noting that she had attended their meeting the previous evening; and announced that she also attended the monthly birthday party at the Senior Center and thanked staff for the new interior paint.
   - **CHRIS PUGH, Place 2**, thanked Director of HR and Administrative Services Danielle Clarke and staff for their work on the Employee Banquet, announced that the FUMC Community Dinner was every Thursday at 6:30 p.m. in Dover Hall, noting that he and his wife Alayne would be cooking red beans and rice this week.
   - **JOSH ALTOM, Place 1,** congratulated the candidates who filed for the May election; and announced that he had spoken with several citizens regarding 9-1-1 dispatch concerns; and that he was unable to attend the upcoming Census meeting, but watched the NLC webinar regarding the topic.

2. Updates from the Mayor

Mayor Johnson announced that he would be serving as Chair of the CDBG Grant Committee meeting and attending the Tarrant County 9-1-1 District Board meeting; that he was appointed as the Mayor's Council Chair for the Legislative and Transportation Committee for the coming year; that he would be on Fort Worth Mayor Betsy Price's Cowtown Marathon relay team; that he would be in the Kennedale Community Theatre in the Park's Production of "Bye, Bye Birdie" in April; that he would be hosting a Facebook Live Q&A with Councilmember Pugh at 7:30 p.m. the next day; and that staff was coordinating a date when NCTCOG Transportation Director Michael Morris could speak regarding complete street design on Kennedale Parkway, the redesign and upcoming reconstruction of the 287/I-20/Loop 820 interchange (the "Southeast Connector"), and Safe Routes to School (SRTS).

Mayor Johnson read a Proclamation in support of the 2020 Census.

3. Updates from the City Manager

There was no discussion at this time.

4. Financial Reports for the City and the EDC

There was no discussion at this time.

5. Fire Department Badge Pinning Ceremony

Fire Chief James Brown introduced Kinsmon Lancaster, noting that during his probationary period he promoted to Driver Engineer.

Mayor Johnson and Councilmember Altom then swore him in.

E. CONSENT AGENDA

1. Approval of the minutes from the January 21, 2020 regular meeting

Motion Approve. **Action** Approve the Consent Agenda, **Moved By** Wandel, **Seconded By** Rhodes. **Motion passed unanimously**.

F. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider adoption of Resolution 566 in support of the Safe Routes to School (SRTS) plan for infrastructure improvements in the Crestdale area around James F. Delaney Elementary and James A. Arthur Intermediate Schools and the 2020 application for SRTS funding

Director of Planning and Economic Development Melissa Dailey stated that staff planned to submit an SRTS application for sidewalks and traffic calming to the North Central Texas Council of Governments (NCTCOG), which would require this resolution of support.

- **Sara Johnson**, *700 Crestview Drive,* stated that the rerouting of Arthur Drive had improved traffic flow on some streets, but had worsened congestion and parking issues on Crestview Drive.

Motion Approve. **Action** Approve Resolution 566 in support of the Safe Routes to School (SRTS) plan for infrastructure improvements in the Crestdale area around James F. Delaney Elementary and James A. Arthur Intermediate Schools and the 2020 application for SRTS funding, **Moved By** Pugh, **Seconded By** Rhodes. **Motion passed unanimously**.

Mayor Johnson noted that these types of projects often took three years to complete.

2. Consider adoption of Resolution 567, approving the sale of 7215 Bloxom Park Road, real property owned by the Economic Development Corporation (EDC)

Director of Planning and Economic Development Melissa Dailey stated that, at the direction of the EDC Board, staff had offered this vacant lot (listed at $85,000 and currently contracted at $82,000) and the vacant lot listed in the next agenda item (currently contracted at the listing price of $75,000) for sale at market rates; and that approval of these related Resolutions by the Council was required to complete the sales.

- **John Hivale**, *418 Coker Valley Drive,* spoke regarding a need for additional places that residents could spend money locally.

Motion Approve. **Action** Approve Resolution 567, approving the sale of 7215 Bloxom Park Road, real property owned by the Economic Development Corporation (EDC), **Moved By** Wandel, **Seconded By** Mayor Pro Tem Lee.

In response to a question from Councilmember Rhodes, Dailey stated that staff was unaware of what plans the purchasers might have for the properties, but that they were each located in an industrial park and zoned Industrial.

Motion passed unanimously.

3. Consider adoption of Resolution 568 approving the sale of 7224 Bloxom Park Road, real property owned by the Economic Development Corporation (EDC)

Director of Planning and Economic Development Melissa Dailey noted that this parcel was priced slightly lower as it was more challenging to develop.

- **John Hivale**, *418 Coker Valley Drive,* spoke regarding a need to generate capital for the City and to offer ways for people to spend their money locally.

Motion Approve. **Action** Approve Resolution 568 approving the sale of 7224 Bloxom Park Road, real property owned by the Economic Development Corporation (EDC), **Moved By** Pugh, **Seconded By** Mayor Pro Tem Lee. **Motion passed unanimously.**

G. PUBLIC HEARINGS

1. **CASE # PZ 20-01** — Conduct a public hearing and consider a request by Azam Shaikh for a replat of approximately 1 acre of land at 800 Shady Bend Drive, legal description of Block 1, Lot 36, Shady Creek East Addition, Kennedale, Tarrant County, Texas

Mayor Johnson noted that this item was a ministerial task if the plat meets all subdivision requirements. Director of Planning and Economic Development Melissa Dailey stated that this lot in Shady Creek East was unique in that it was larger than most neighboring lots and did allow for separate rear access; and that all requirements for replat had been met.

Mayor Johnson opened the public hearing at 7:50 p.m.

- **Azam Shaikh (Owner)**, 800 Shady Bend Drive, stated that he was available to answer any questions.

There was some discussion of setbacks, access via Border Street, and flood mitigation.

Mayor Johnson closed the public hearing at 7:53 p.m.

Motion Approve. **Action** Approve a request by Azam Shaikh for a replat of approximately 1 acre of land at 800 Shady Bend Drive, legal description of Block 1, Lot 36, Shady Creek East Addition, Kennedale, Tarrant County, Texas, **Moved By** Pugh, **Seconded By** Mayor Pro Tem Lee. **Motion passed unanimously.**

Mayor Johnson recessed to Executive Session at 7:54 p.m.

Mayor Johnson reconvened the meeting at 8:27 p.m.

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

1. Take any action deemed necessary as a result of the Executive Session

Motion Approve. **Action** Approve authorizing the City Attorney to take action against Apache and ABS 1 Auto Parts, **Moved By** Wandel, **Seconded By** Altom. **Motion passed unanimously.**

V. ADJOURNMENT

Motion Adjourn. **Action** Adjourn, **Moved By** Wandel, **Seconded By** Rhodes. **Motion passed unanimously.**

Mayor Johnson adjourned the meeting at 8:28 p.m.

APPROVED:

BRIAN JOHNSON, MAYOR

ATTEST:

LESLIE E. GALLOWAY, CITY SECRETARY

CITY OF KENNEDALE SEAL TARRANT COUNTY, TEXAS