

KENNEDALE CITY COUNCIL MINUTES
REGULAR MEETING VIA VIDEOCONFERENCE
MAY 19, 2020 AT 5:30 PM

MEMBERS OF THE PUBLIC MAY JOIN BY VISITING
WWW.CITYOFKENNEDEALE.COM/JOINMEETING AND/OR BY DIALING
1-877-853-5257 (TOLL-FREE) AND USING ACCESS CODE 76060-76060

I. CALL TO ORDER

Mayor Brian Johnson called the meeting to order at 5:30 p.m.

II. EXECUTIVE SESSION

The Council did not recess to Executive Session at any time during this meeting.

- 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., 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

III. WORK SESSION

A. WORK SESSION REPORTS

1. Receive a presentation, hold a discussion, and provide staff direction regarding Capital Improvements Programming

City Manager George Campbell stated that, following the FY19-20 budget workshop, the Council had indicated a desire to consider a bond election to fund capital projects. He then offered an overview of those projects identified by staff as necessary as well as the various funding options including Certificates of Obligation (COs), General Obligation Bonds (GOs), and Tax Notes. There was some discussion of timing, tax or rate impacts of the funding options, the need to prioritize the projects, and considerations of a potential bond election. Campbell asked for Council's input via email regarding the prioritization and funding, noting that staff would aim to send the Council a refined list in June.

B. REQUESTS FOR CLARIFICATION OF ITEMS LISTED ON THE AGENDA

At the request of Mayor Johnson, Director of Planning and Economic Development Melissa Dailey stated that Council had recently approved an updated schedule of fees for Planning

and Development, but that the current proposed fee schedule (Item IV.F.1.) included updated fees and language for several departments including Fire, Public Works, and the Library. She noted that the primary goal was to recover actual costs for items including water and sewer taps and Fire and EMS services. City Manager George Campbell noted that it had been several years since a comprehensive update of the fee schedule had been undertaken, adding that staff planned to propose one more update (to include the water and wastewater utility fees utilized by the City of Arlington) in the near future. There was some discussion regarding of the rationale behind some of the changes.

At the request of the Mayor, George Campbell stated that the Stormwater Fee amendment (item IV.G.1.) was an attempt to further the original intent of incrementally increasing the fee each year, and that this \$1.00 adjustment would increase revenue by ~\$38,000 annually. Finance Director Lakeita Sutton noted that the fee would be effective June 1. There was some discussion of the financial impact this might have on customers.

Mayor Johnson stated his desire to meet with Bill Lane before considering item IV.E.1., and Mayor Pro Tem Lee stated her desire to see Erin Jackson serve as the Municipal Judge. Following a brief discussion, it was the consensus of the Council to postpone this item and advertise for applications before making a decision. City Manager George Campbell noted that Lane would continue serving until an appointment was made.

At 6:52 p.m., Mayor Johnson called for a brief recess before the Regular Session.

IV. REGULAR SESSION

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

A. ROLL CALL

Participating via VideoConference: Mayor Brian Johnson; Josh Altom, Place 1; Chris Pugh, Place 2; Mayor Pro Tem Lee, Place 3; Linda Rhodes, Place 4; Chad Wandel, Place 5; **Absent:**None. **Staff Participating via VideoConference:** City Manager George Campbell, City Secretary and Communications Coordinator Leslie E. Galloway, City Attorney Drew Larkin, Finance Director Lakeita Sutton, Public Works Director Larry Hoover, Fire Chief James Brown, Police Chief Tommy Williams, Library Director Amanda King, Director of Human Resources and Administrative Services Danielle Clarke, and Director of Planning and Economic Development Melissa Dailey (arrived at 5:42 p.m.).

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

The invocation and pledges were not carried out due to the meeting being held remotely.

C. VISITOR AND CITIZEN FORUM

There were no requests to speak at this time.

D. REPORTS AND ANNOUNCEMENTS

1. Updates from the City Council

- **Mayor Pro Tem Sandra Lee, Place 3**, announced that she helped with a food drive for Kennedale Senior Outreach and that a ramp would be installed soon at the senior apartment complex.
- **Josh Altom, Place 1**, announced that he donated plasma twice recently and that he had noticed that water meters were being replaced in his neighborhood.
- **Linda Rhodes, Place 4**, did not have any announcements at this time.

- **Chad Wandel, Place 5**, announced that he was helping farmers with supply chain issues at work.
- **Chris Pugh, Place 2**, announced that he had seen new smart meters being installed, that he had answered a few citizen questions regarding COVID-19, and that he distributed several “Shop Kennedale” signs, thanking Melissa Dailey and staff for their work on that project.

2. Updates from the Mayor

Mayor Brian Johnson proclaimed May 19, 2020 as Trenton Nichols Day; and announced that the Tarrant County 9-1-1 District would soon implement the option to text operators in emergency situations upon recommendation by the Grand Prairie and Arlington Police Chiefs.

3. Updates from the City Manager

City Manager George Campbell did not have any updates at this time.

4. Financial Reports for the City

Finance Director Lakeita Sutton noted that General Fund revenue was tracking as projected, but that the potential impact of COVID-19 on sales tax from April would not be seen until the June financial report, noting that any projected revenue or expenditure changes would be included in the budget amendment currently being prepared. Sutton noted that FY19 was projected to end with a ~\$600,000 drawdown, but that the audit had shown the year ending, instead, with a surplus of ~\$102,000, which would significantly improve projections for FY20, and that staff hoped to be able to end FY20 with a Fund Balance of about 13% instead of the projected 7.9%. Sutton added that the bond rating agencies planned to review the City again in the next 18 months.

There was some discussion of the City’s allocation under the CARES Act, the impact COVID-19 might have on sales tax, and sales tax auditing.

E. CONSENT AGENDA

1. Consider approval of Ordinance 698, reappointing Municipal Judge Bill Lane to a two-year term and authorizing the Mayor to sign a two-year extension of the municipal judge’s contract
2. Consider Ordinance 701, renewing the Mayor’s Local Disaster Declaration in relation to Coronavirus (COVID-19)
3. Consider approval of Resolution 572, denying the Distribution Cost Recover Factor (DCRF) Rate Request of ONCOR Electric Delivery Company, LLC, made on or about April 3, 2019
4. Consider approval of Resolution 573, authorizing continued participation in Tarrant County’s Community Development Block Grant (CDBG), Home Investment Partnership, and Emergency Solutions Grant Consortium for the three program year period, fiscal year 2021 through 2023

5. Approval of the minutes from the April 14, 2020 special meeting
6. Approval of the minutes from the April 21, 2020 regular meeting
7. Approval of the minutes from the April 28, 2020 special meeting

Motion Approve. **Action** Approve the Consent Agenda, except Item IV.E.1. (an extension of Judge Bill Lane's Contract, which was postponed pursuant to the Work Session discussion), **Moved By** Mayor Pro Tem Lee, **Seconded By** Altom. **Motion passed unanimously.**

F. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider approval of Ordinance 699, amending the Kennedale City Code, by amending Exhibit A "Schedule of Fees" of Section 2-3, "Fees for Licenses, Inspections, Permits, etc." by amending fees and provisions related to Check and Credit Card Transactions; Facility Rentals/Reservations; Library; Registration and Miscellaneous Permits; Planning and Development; Utility Billing, Public Works, and Water and Wastewater Fees related to Liquid Waste, Water and Sewer Taps, and Public Works Construction Inspection; Fire Department; and Public Information Act Requests

Director of Planning and Economic Development Melissa Dailey stated that staff was presenting a comprehensive Fee Schedule update in an effort to make the document more user-friendly and to recover actual costs for services provided, noting that staff planned to bring forth another amendment in the near future, which would incorporate the City of Arlington's water and wastewater utility fees.

- **Joe Palmer**, 4017 Sanguinet Court, Fort Worth, spoke against this item.

There was some discussion regarding the need to recapture costs of services provided, comparisons to other Cities' fees, and the reason for differences in credit card service fees.

Motion Approve. **Action** Approve Ordinance 699, amending the Kennedale City Code, by amending Exhibit A "Schedule of Fees" of Section 2-3, "Fees for Licenses, Inspections, Permits, etc." by amending fees and provisions related to Check and Credit Card Transactions; Facility Rentals/Reservations; Library; Registration and Miscellaneous Permits; Planning and Development; Utility Billing, Public Works, and Water and Wastewater Fees related to Liquid Waste, Water and Sewer Taps, and Public Works Construction Inspection; Fire Department; and Public Information Act Requests, **Moved By** Pugh, **Seconded By** Altom. **Motion passed unanimously.**

2. Discuss and consider approval of an Inter-Local Agreement (ILA) with Tarrant County regarding the distribution of Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding to address COVID-19 related expenses

City Manager George Campbell stated that this agreement would allow for the City to receive funding via the CARES Act to reimburse for COVID-19 related expenses from March 1 through December 31, 2020, noting that the amount the City was eligible to receive – about \$420,000 – was based on a rate of \$55 per capita. He added that any amount that could not be justified as COVID-19 related would have to be returned to the County for redistribution.

Motion Approve. **Action** Approve an Inter-Local Agreement (ILA) with Tarrant County regarding the distribution of Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding to address COVID-19 related expenses, **Moved By** Mayor Pro Tem Lee, **Seconded By** Pugh. **Motion passed unanimously.**

G. PUBLIC HEARINGS

1. Hold a Public Hearing and consider adoption of Ordinance 686, amending Chapter 23, Article IX "Stormwater (Drainage) Utility System" by amending the monthly Stormwater (Drainage) Utility Fee from \$3.50 to \$4.50 for Residential Units and Religious Organizations

Finance Director Lakeita Sutton stated that adoption of this Ordinance would increase the monthly Stormwater Drainage Fee (on utility bills) by \$1.00, and that the increased revenue would be utilized to address drainage and erosion issues. There was some discussion of the number of identified projects that were currently unfunded.

Mayor Johnson opened the public hearing at 7:45 p.m.

- **Joe Palmer**, 4017 Sanguinet Court, Fort Worth, spoke against this item.

Mayor Johnson closed the public hearing at 7:51 p.m.

City Manager George Campbell noted that this increase was in line with comparable Cities in the region. There was some discussion of these revenues being restricted, the life of stormwater projects, and the Council's desire to mitigate this increased cost for those receiving the Senior/Disabled utility billing discount.

Motion Approve. **Action** Approve Ordinance 686, amending Chapter 23, Article IX "Stormwater (Drainage) Utility System" by amending the monthly Stormwater (Drainage) Utility Fee from \$3.50 to \$4.50 for Residential Units and Religious Organizations, **Moved By** Mayor Pro Tem Lee, **Seconded By** Wandel. **Motion passed unanimously.**

2. Hold a Public Hearing and consider approval of Ordinance 700, granting to Atmos Energy Corporation, a Texas and Virginia Corporation, its successors and assigns, a franchise to construct, maintain, and operate pipelines and equipment in the City of Kennedale, Tarrant County, Texas, for the transportation, delivery, and sale of gas in, out of, and through said city for all purposes

Finance Director Lakeita Sutton stated that there was no change to this agreement other than extending it through 2030, and that the City would continue receiving the maximum of 5% of gross revenues. She noted that the existing agreement had expired in 2017, but that the City had continued to receive franchise fees from Atmos in the interim. There was some discussion regarding the length of the agreement.

Motion Approve. **Action** Approve Ordinance 700, granting to Atmos Energy Corporation, a Texas and Virginia Corporation, its successors and assigns, a franchise to construct, maintain, and operate pipelines and equipment in the City of Kennedale, Tarrant County, Texas, for the transportation, delivery, and sale of gas in, out of, and through said city for all purposes, **Moved By** Rhodes, **Seconded By** Pugh. **Motion passed unanimously.**

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

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

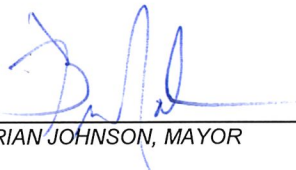
There was neither discussion nor action at this time.

V. **ADJOURNMENT**

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

Mayor Brian Johnson adjourned the meeting at 8:07 p.m.

APPROVED:



BRIAN JOHNSON, MAYOR

ATTEST:



LESLIE E. GALLOWAY, CITY SECRETARY

