

KENNEDALE CITY COUNCIL MINUTES

REGULAR MEETING VIA VIDEOCONFERENCE | JUNE 16, 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 into Executive Session 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
2. Municipal Judge Appointment

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 §551.074** — *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. Municipal Judge Appointment

III. WORK SESSION

A. WORK SESSION REPORTS

1. Presentation and discussion regarding the proposed plan to establish a connection between the City of Kennedale and City of Arlington water utility systems

City Manager George Campbell stated that the intent under the Operations and Maintenance (O&M) Agreement was to establish a connection between the two water systems as quickly as possible and that tonight's presentation would outline the options for that project. City of Arlington's Director of Water Utilities Craig Cummings, Assistant Director Brad Franklin, and Chief Engineer Robert Stanley gave a presentation regarding the possible connection points, deliverables, differing costs and lead times for the traditional Wholesale Model vs. the Hybrid Model, water quality, and long-term goals. There was some discussion about reducing the amount of water purchased from Fort Worth, diminishing or eliminating the use of the wells, benefits of a redundant connection, funding sources, meter and MIU replacement, timelines, and next steps. Following the discussion, Campbell stated that there was no specific action needed by the Council at

this time, but that staff understood that the consensus of the Council was to move forward with the Hybrid Model to establish a connection.

Mayor Johnson recessed the Work Session at 6:03 p.m.

THE MAYOR TOOK THE NEXT ITEM OUT OF ORDER. FOLLOWING THIS ITEM, THERE WAS DISCUSSION OF ITEM IV.F.1.

2. Receive a presentation and hold a discussion regarding game room regulation

Mayor Johnson reconvened the Work Session at 6:18 p.m.

City Manager George Campbell stated that staff had received a request from Tarrant County to consider an Interlocal agreement (ILA) under which the City would accept responsibility for regulating game rooms, noting that, if Council sought to approve such an ILA, that staff recommended the version that had been reviewed and amended by the City Attorney. There was some discussion of the number of establishments of this type within the City, associated problems and crimes, County regulations, permitting fees, and encouraging compliance by businesses.

3. Discussion of issues relating to the Coronavirus (COVID-19) emergency

There was some discussion of the necessary steps for reopening City facilities, that Director of Human Resources and Administrative Services Danielle Clarke was compiling a list of COVID-19 related expenses for potential reimbursement under the CARES Act Funding recently approved by the Commissioners Court, and the increasing case counts and occupied hospital beds in Tarrant County.

B. REQUESTS FOR CLARIFICATION OF ITEMS LISTED ON THE AGENDA

There was a brief discussion of the retention pond in the Magnolia Hills development.

Mayor Johnson offered a brief recess at 6:47 p.m. before reconvening the Regular Session.

IV. REGULAR SESSION

Mayor Johnson reconvened the Regular Session 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, Director of Planning and Economic Development Melissa Dailey, and Financial Analyst Debby Scott; **City of Arlington Water Utilities Staff Participating via VideoConference:** Director Craig Cummings, Assistant Director Brad Franklin, Senior Engineer Robert Stanley, and Coordinator Traci Peterson. (Arlington staff left the meeting at 6:18 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

- **Linda Rhodes, Place 4**, did not have announcements at this time.
- **Mayor Pro Tem Sandra Lee, Place 3**, did not have announcements at this time.
- **Chad Wandel, Place 5**, announced that he had received a package from someone who found his grandfather's airman bracelet in Michigan.
- **Chris Pugh, Place 2**, thanked the Chiefs and the entire staff for the extra steps being taken right now to keep the community safe.
- **Josh Altom, Place 1**, seconded Councilmember Pugh's thanks and announced that two young men in the community had been raising money to donate to the senior citizens who might need assistance during the COVID-19 pandemic.

2. Updates from the Mayor

Mayor Brian Johnson announced that he had attended the Mayors Council and Tarrant Regional Transportation Coalition (TRTC) meetings virtually and thanked Police Chief Tommy Williams for his response to a recent question from a citizen.

3. Updates from the City Manager

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

4. Financial Reports for the City

Finance Director Lakeita Sutton offered updates regarding revenues and expenditures of various funds compared to the previous fiscal year, noting that the effects of COVID-19 were not yet fully known. There was some discussion of the amount of money that had been spent on the MIU and meter replacements and the funding sources.

E. CONSENT AGENDA

1. Approval of the minutes from the May 12, 2020 special meeting
2. Approval of the minutes from the May 19, 2020 regular meeting
3. Consider adoption of Ordinance 702, amending Ordinance 611 by increasing the Senior and Disabled Persons Water And Sewer Rate Credits and amending section 23-83 of the Kennedale City Code to require applicants to reapply every two years
4. Consider approval of Ordinance 703, amending Chapter 15 "Nuisances" of the Kennedale City Code by regulating the planting of bamboo within the City

Motion Approve. **Action** Approve the Consent Agenda, with a correction to the May 19 minutes, **Moved By** Rhodes, **Seconded By** Mayor Pro Tem Lee. **Motion passed unanimously.**

F. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider approval of Ordinance 704, 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 payments for utility billing; amending water and wastewater, utility billing, and public works fees to

adopt the City of Arlington's fee schedule for water and wastewater deposits, meter fees, tap fees, testing fees, and other related services and charges

THIS ITEM WAS TAKEN OUT OF ORDER. DISCUSSION WAS HELD IMMEDIATELY FOLLOWING III.A.1.

Mayor Brian Johnson called the Regular Session to order at 6:03 p.m. for consideration of this item while the City of Arlington staff were present.

Finance Director Lakeita Sutton stated that the purpose of this fee schedule amendment was to be prepared to move to utilization of the same fees as were currently in use by the City of Arlington as soon as billing and customer service had been transferred from MuniBilling to Arlington. She added that staff had provided a comparison of the fees in the packet and that the Ordinance and Fee Schedule were drafted in such a way that the City of Kennedale would automatically adopt any new water and wastewater utility fees adopted by the City of Arlington. There was some discussion of recovering actual costs, the reduced administrative burden of a single fee schedule, that neither impact fees nor water and sewer rates would be affected, and customer service considerations.

Motion Approve. Action Approve Ordinance 704, 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 payments for utility billing; amending water and wastewater, utility billing, and public works fees to adopt the City of Arlington's fee schedule for water and wastewater deposits, meter fees, tap fees, testing fees, and other related services and charges,

Moved By Pugh, Seconded By Wandel. Motion passed unanimously.

Mayor Johnson recessed Regular Session to reconvene the Work Session at 6:18 p.m.

2. Consider approval of Ordinance 705, amending the Fiscal Year 2019–2020 Adopted Budget of the City of Kennedale, Texas

Finance Director Lakeita Sutton gave a brief overview of the proposed amendments to several funds, noting that Directors had provided year end projections as part of the process and that the amendment included not only expected changes to expenditures but also revenues as staff sought to be transparent in their efforts toward maintaining the City's bond rating. There was some discussion of the previous fiscal year drawdown, how COVID-19 might affect tax and development revenues, and decreased spending in the General Fund due to vacancies and reduced training and travel.

Motion Approve. Action Approve Ordinance 705, amending the Fiscal Year 2019–2020 Adopted Budget of the City of Kennedale, Texas, Moved By Rhodes, Seconded By Wandel. Motion passed unanimously.

3. Consider authorizing the City Manager to sign an Interlocal Agreement (ILA) for County game room regulations, permitting, and enforcement within the City limits

City Manager George Campbell reiterated (from the discussion of this item during the Work Session) that, if Council wished to approve this ILA, staff would recommend adoption of the version of the contract that had been reviewed and amended by the City Attorney's Office.

Motion Approve. Action Approve authorizing the City Manager to sign an ILA for County

game room regulations, permitting, and enforcement within the City limits, **Moved By** Mayor Pro Tem Lee, **Seconded By** Wandel. **Motion passed unanimously.**

G. PUBLIC HEARINGS

1. **Case #PZ 20-02** — Conduct a public hearing and consider Ordinance 706 regarding a request by Ahmad and Theresa Khammash for a rezoning from "R2" to "R3" Residential for approximately 8 acres located at 5869 Eden Road, Jesse Russell Survey, Abstract 1361, Tracts 9F Improvement, 9F01A, 9F01 and 9D02, City of Kennedale, Tarrant County, Texas

Director of Planning and Economic Development Melissa Dailey provided an overview of the location, surrounding uses and zoning, and the property's designation in the Future Land Use Plan. She added that the staff as well as the Planning and Zoning Commission (with a unanimous vote at their May 19 meeting) recommended approval.

Mayor Johnson opened the public hearing at 7:32 p.m.

The applicant stated that he was available to answer questions and noted that Exhibit A was incorrect as it only highlighted one of the two tracts of land that were being considered for rezoning. Dailey stated that staff would correct that Exhibit.

There were no requests by the public to speak.

Mayor Johnson closed the public hearing at 7:35 p.m.

There was some discussion of the utility easement, other projects by the developer, gated neighborhoods, and price points of the homes.

Motion Approve. **Action** Approve Ordinance 706 (with the correction to Exhibit A to reflect both tracts of land as discussed) regarding a request by Ahmad and Theresa Khammash for a rezoning from "R2" to "R3" Residential for approximately 8 acres located at 5869 Eden Road, Jesse Russell Survey, Abstract 1361, Tracts 9F Improvement, 9F01A, 9F01 and 9D02, City of Kennedale, Tarrant County, Texas, **Moved By** Pugh, **Seconded By** Wandel. **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

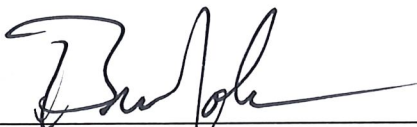
There was neither discussion nor action at this time.

V. **ADJOURNMENT**

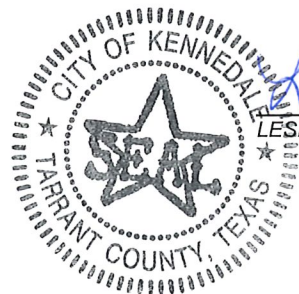
Motion Adjourn. **Action** Adjourn, **Moved By** Wandel, **Seconded By** Altom. **Motion passed unanimously.**

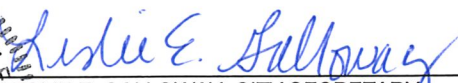
Mayor Brian Johnson adjourned the meeting at 7:44 p.m.

APPROVED:


BRIAN JOHNSON, MAYOR

ATTEST:




LESLIE E. GALLOWAY, CITY SECRETARY