KENNEDALE CITY COUNCIL MINUTES

REGULAR MEETING | APRIL 20, 2021 AT 5:30 PM
CITY HALL COUNCIL CHAMBERS
405 MUNICIPAL DRIVE, KENNEDALE, TX 76060
MEMBERS OF THE PUBLIC MAY JOIN IN PERSON OR VIRTUALLY BY VISITING WWW.CITYOFKENNEDALE.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 5:32 p.m.

II. WORK SESSION

A. <u>WORK SESSION REPORTS</u>

1. Hold a discussion regarding establishing regular meetings with the Kennedale Independent School District (KISD) Board of Trustees

City Manager George Campbell noted that Councilmember Altom requested this discussion. Councilmember Altom stated that he would like to see the Council and School Board coordinating regarding development. Campbell stated that he agreed and would contact Superintendent Chad Gee to discuss options.

2. Hold a discussion regarding the senior and disabled discount provisions of the current water/sewer rate ordinance

City Manager George Campbell noted that Councilmember Rhodes requested this discussion and provided a brief overview of this discount. Councilmember Rhodes stated that she had heard concerns regarding surviving spouses no longer receiving the discount once their qualifying spouse passed away, technical and timing issues regarding the application process, and privacy concerns. There was also some discussion of the age and income requirements. Campbell agreed that the process should be simple and stated that staff would prepare an Ordinance for Council's consideration at the next meeting.

B. <u>REQUESTS FOR CLARIFICATION OF ITEMS LISTED ON THE AGENDA</u>
There was no discussion at this time.

III. EXECUTIVE SESSION

EXECUTIVE SESSION WAS HELD FOLLOWING CONCLUSION OF THE REGULAR SESSION.

Following IV.G.1., the Council recessed to Executive Session from 7:50 to 8:11 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 or legal issues regarding the Open Meetings Act, and the following:

1. PZ Case No. 21-03

2. City of Kennedale v. James Coyel

IV. REGULAR SESSION

Mayor Johnson opened the Regular Session at 5:47 p.m.

A. ROLL CALL

Present: Mayor Brian Johnson; Josh Altom, Place 1; Gary Mitchell, Place 2; Linda Rhodes, Place 4; Mayor Pro Tem Chad Wandel, Place 5; **Absent:** NONE (Note: Place 3 is Vacant at this time). ***Staff:*** *City Manager George Campbell, City Attorney Drew Larkin, City Secretary and Communications Coordinator Leslie E. Galloway, Director of Finance and Information Technology Lakeita Sutton, Fire Chief James Brown, Director of Human Resources and Administrative Services Danielle Clarke, Public Works Director Larry Hoover, Police Captain Darrell Hull, Administrative Assistant Rosie Ericson;* ***Staff Participating via VideoConference:*** *Police Chief Tommy Williams, Library Director Amanda King*

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

Councilmember Mitchell offered the invocation and Councilmember Altom led the pledges.

C. VISITOR AND CITIZEN FORUM

- **Sara Johnson**, *700 Crestview Drive,* thanked Councilmembers who helped during a recent weather event and stated a desire for increased alerts during emergencies as well as cooperation within the community; and asked questions about the Senior Center and the Library Board.
- **Tamiko Sargent**, *905 Shady Oaks Drive,* voiced concerns about City staff regarding her property.
- **Joe Palmer**, *4017 Sanguinet Court, Fort Worth,* spoke regarding free and transparent government and against recent development and budget decisions.
- **Jan Joplin**, *204 Hilltop Drive*, asked a question regarding the audit; discussed the senior discount program; and asked that Council consider the citizens on Item IV.F.1.

In response to the question from Ms. Joplin, Finance Director Lakeita Sutton stated that Hotel Occupancy Tax (HOT) revenue was currently generated by short-term rentals.

D. REPORTS AND ANNOUNCEMENTS

1. Updates from the City Council
   - **Mayor Pro Tem Chad Wandel, Place 5,** urged the public to vote.
   - **Linda Rhodes, Place 4,** had no announcements at this time.
   - **Gary Mitchell, Place 2,** noted the progress on Magnolia Hills.
   - **Josh Altom, Place 1,** urged the public to vote and expressed gratitude for the opportunity to serve on the Council.

2. Updates from the Mayor

Mayor Johnson proclaimed April 2021 as Child Abuse Prevention Month and May 15, 2021, as Kids to Parks Day; and announced that Camp Hope would be held in June and that he had attended meetings for the Mayors' Council of Tarrant County meeting (where he was appointed to the finance committee), the Tarrant County Homeless Coalition, and the Tarrant Regional Transportation Coalition (to discuss the upcoming county bond program).

3. Updates from the City Manager

City Manager George Campbell gave an update regarding Senior Center renovations.

4. Financial Reports for the City and the EDC
   There was no discussion at this time.

5. Schedule of Investment Activity for quarter ending March 31, 2021
   There was no discussion at this time.

E. <u>CONSENT AGENDA</u>

Councilmember Mitchell asked that items 2, 3, and 4 be removed from Consent.

1. Approval of the minutes from the March 16, 2021 regular meeting
   Motion Approve. **Action** Approve the revised minutes (as provided via email) from the March 16, 2021 regular meeting, **Moved By** Mitchell, **Seconded By** Rhodes. **Motion passed unanimously.**

2. Consider adoption of a Resolution amending Resolution 569; approving an updated total project cost of $409,064 (to include a matching portion by the City of $244,063); and approving the low bidder, Excel 4 Construction, for the Community Development Block grant (CDBG) project for the rehabilitation of water lines in the 400-600 blocks of Third Street

   There was some discussion of the reason for the increase in the City's portion of this project cost, which resulted from a failure to account for engineering fees paid by the County from their $180,000 portion.

   Motion Approve. **Action** Adoption of a Resolution amending Resolution 569; approving an updated total project cost of $409,064 (to include a matching portion by the City of $244,063); and approving the low bidder, Excel 4 Construction, for the Community Development Block grant (CDBG) project for the rehabilitation of water lines in the 400-600 blocks of Third Street, **Moved By** Rhodes, **Seconded By** Mayor Pro Tem Wandel. **Motion passed unanimously.**

3. Approval of Amendment One to the Professional Services Agreement with SAFEbuilt Texas, LLC (approved January 20, 2020) amending the scope of services to include Fire Department plan reviews (Exhibit A) and the fee schedule (Exhibit B)

   City Manager George Campbell stated that this would allow SAFEbuilt to assist the Fire Department in inspections and reviews, as needed, the actual costs of which would be paid by applicants.

   Motion Approve. **Action** Approve Amendment One to the Professional Services Agreement with SAFEbuilt Texas, LLC (approved January 20, 2020) amending the scope of services to include Fire Department plan reviews (Exhibit A) and the fee schedule (Exhibit B), **Moved By** Mayor Pro Tem Wandel, **Seconded By** Rhodes. **Motion passed unanimously.**

4. Adoption of a Resolution finding that Oncor Electric Delivery Company LLC's application for approval to amend its distribution cost recovery factor (DCRF) to increase distribution

rates within the City should be denied; authorizing participation with OCSC; authorizing the hiring of legal counsel and consulting services; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; and requiring notice of this resolution to the company and legal counsel

City Manager George Campbell stated that the Steering Committee of Cities Served by Oncor ("OCSC") represented member cities, as a group, in rate cases and other actions filed by Oncor and that the City had, historically, been well-served by this partnership.

Motion Approve. **Action** Adoption of a Resolution finding that Oncor Electric Delivery Company LLC's application for approval to amend its distribution cost recovery factor (DCRF) to increase distribution rates within the City should be denied; authorizing participation with OCSC; authorizing the hiring of legal counsel and consulting services; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; and requiring notice of this resolution to the company and legal counsel, **Moved By** Mayor Pro Tem Wandel, **Seconded By** Rhodes. **Motion passed unanimously.**

F. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider adoption of an Ordinance, amending the FY2020-2021 Budget

Finance Director Lakeita Sutton stated that this amendment would reflect actual audited fund balances; and would amend General Fund expenditures to allow for a $50,000 expenditure to renovate the Senior Center and add $740,054 to provide for the reinstatement of the public safety step plans, move employees to their appropriate steps, offer salary adjustments to both sworn and non-sworn employees, and provide one-time salary supplements equal to employees' pay eligibility during the period of October 1, 2020 through April 30, 2021 (for consideration of work to be performed after May 1, 2021). Sutton added that a second option had also been provided for Council's consideration that would accomplish each of these amendments except the one-time salary supplements.

There was some discussion of moving civilian employees closer to 90% of market value (as defined by the 2019 salary study), high turnover in the Fire Department due to below-market salaries, the fund balance policy, sustainability of the proposed salary adjustments, and the assumptions used for budget projections.

- **Joe Palmer**, *4017 Sanguinet Court, Fort Worth,* spoke against.
- **Jeff and Shannon Nevarez**, 1009 Estates Drive, spoke in favor.

Motion Approve. **Action** Adoption of Ordinance 724, Option 1, amending the FY2020-2021 Budget, **Moved By** Altom, **Seconded By** Mayor Pro Tem Wandel.

Councilmember Rhodes stated that the budget numbers looked good, but that she opposed the salary supplements, noting that her first priority was taxpayers and then staff, adding that – if this should pass – she would not expect to see a proposed property tax increase in the next budget. Councilmember Mitchell noted that when property assessments increased, tax liability also increased even if tax rates stayed steady; and stated that he could not support the salary adjustments as he saw them as unsustainable. Councilmember Altom stated that employees had long been neglected and that he supported the salary adjustments as well as the supplemental payments. Mayor Pro Tem Wandel stated that there is an obligation to the taxpayers, but that overtime and the other costs associated with replacing an employee are often higher than retaining an employee; and that he supported the adjustments and supplemental pay but also expected no proposed tax rate increase in the upcoming budget development.

Motion passed 3-2, with Altom and Mayor Pro Tem Wandel voting in favor, Mitchell and Rhodes voting against, and Mayor Johnson breaking the tie with a vote in favor.

2. Consider approval of a bid in the amount of $254,040.49, submitted by Southwest Ambulance for the purchase of a new ambulance

City Manager George Campbell stated that staff intended to take delivery on this ambulance next year, noting that the bid is from a local vendor in Kennedale. In response to a question from Councilmember Mitchell, Fire Chief James Brown stated that the vehicle was a diesel.

Motion Approve. **Action** Approve a bid in the amount of $254,040.49, submitted by Southwest Ambulance for the purchase of a new ambulance, **Moved By** Altom, **Seconded By** Rhodes. **Motion passed unanimously.**

3. Consider adoption of a Resolution setting a public hearing to be held during the City Council meeting beginning at 5:30 p.m. on Tuesday, June 15, 2021, to consider amendments to the land use assumptions, capital improvements plan, and associated water, wastewater, and roadway impact fees

   City Manager George Campbell stated that, due to a timing issue regarding publication, the hearing that had been previously scheduled for tonight's meeting was now being rescheduled for June 15, 2021.

   Motion Approve. **Action** Approve a Resolution setting a public hearing to be held during the City Council meeting beginning at 5:30 p.m. on Tuesday, June 15, 2021, to consider amendments to the land use assumptions, capital improvements plan, and associated water, wastewater, and roadway impact fees, **Moved By** Mayor Pro Tem Wandel, **Seconded By** Mitchell. **Motion passed unanimously.**

4. **CASE #PZ 21-10** — Consider approval of a request by Greg Brown to vacate the replat of 1159-1161 Falcon View Dr., Lot 15R, Block 7, Falcon Wood Estates Phase Two, City of Kennedale, Tarrant County, Texas, that was approved on April 10, 2008, Case PZ 18-03

City Manager George Campbell stated that, in 2008, the Council approved the combining of two lots, but that the owner is now requesting a vacation of that replat; and that staff recommended approval.

Motion Approve. **Action** Approve a request by Greg Brown to vacate the replat of 1159-1161 Falcon View Dr., Lot 15R, Block 7, Falcon Wood Estates Phase Two, City of Kennedale, Tarrant County, Texas, that was approved on April 10, 2008, Case PZ 18-03, **Moved By** Mayor Pro Tem Wandel, **Seconded By** Mitchell. **Motion passed unanimously.**

G. PUBLIC HEARINGS

1. Conduct a public hearing and consider an Ordinance amending the 2012 Comprehensive Plan by amending the Future Transportation Plan to reclassify Swiney Hiett Road as an Avenue type thoroughfare and to realign Oak Crest Drive

City Manager George Campbell stated that this was a companion piece to the impact fee Ordinance the Council will consider during the June meeting, noting that designation of these two streets as "avenues" in the thoroughfare plan would allow future potential improvements to be funded via impact fees. There was some discussion of impact fees, the Capital Improvement Plan (CIP), and the fact that there were no current plans or engineering existing for these roads.

Mayor Johnson opened the public hearing at 7:17 p.m.

- **Joe Palmer**, *4017 Sanguinet Court,* spoke against.
- **David Deaver**, *1410 Swiney Hiett Road,* spoke against realignment of Swiney Hiett.
- **Parker Chamberlain and Catalina Garcia**, *1433 Swiney Hiett Road,* spoke against.
- **Dennis Faulkner**, *1217 Swiney Hiett Road,* spoke against.
- **Jan Joplin**, *204 Hilltop Drive*, spoke against realignment of Oakcrest.

Mayor Johnson closed the hearing at 7:38 p.m.

Campbell noted that there were no plans to widen Swiney Hiett at this time. There was some discussion of the realignment of Oak Crest.

Motion Approve. **Action** Approve an Ordinance amending the 2012 Comprehensive Plan by amending the Future Transportation Plan to reclassify Swiney Hiett Road as an Avenue type thoroughfare and to realign Oak Crest Drive, **Moved By** Mayor Pro Tem Wandel, **Seconded By** Altom. **Motion passed 3-1**, with Mitchell voting against.

Mayor Johnson recessed to Executive Session from 7:42 p.m. to 8:11p.m.

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

There was neither discussion nor action at this time.

V. ADJOURNMENT

Mayor Johnson reconvened the open session at 8:12 p.m.

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

Mayor Johnson adjourned the meeting at 8:13 p.m.

APPROVED:

CHAD WANDEL, MAYOR PRO TEM

ATTEST:

Leslie E. Galloway

LESLIE E. GALLOWAY, CITY SECRETARY

CITY OF KENNEDALE SEAL TARRANT COUNTY, TEXAS