



Minutes
White Settlement City Council
Regular Meeting

City Hall, 214 Meadow Park Drive
White Settlement, Texas

February 4, 2020
7:00 p.m.

CALL TO ORDER

Mayor White called the meeting to order at 7:00 p.m. announcing a quorum of members present as follows: Council Member Paul Moore, Mayor Pro Tem Evelyn Spurlock, Council Member Amber Munoz, Council Member Christina Grudzinski, and Council Member Gregg Geesa.

Executive Staff present included City Manager, City Secretary, and City Attorney. Other staff present included Public Works Director, Building Official, Community Services Director, Police Chief, Fire Chief, Communications Manager and City Marshals.

INVOCATION / PLEDGE OF ALLEGIANCE

Mayor White gave the invocation and led the Pledge of Allegiance.

PRESENTATIONS

The following presentations were heard.

1) Community

- a) White Settlement ISD Superintendent, Frank Molinar, will make a presentation to the City of White Settlement

Superintendent Frank Molinar presented a bronze bear and cub tabletop statue to the Governing Body, to the Fire Department, and to the Police Department on behalf of the WSISD for working with the school district in several areas to help care for and nurture WSISD students. Photos were taken.

2) Staff

- a) Presentation of FY 2018 – 2019 CAFR (Comprehensive Annual Financial Report)

Representatives from Pattillo Brown and Hill presented the CAFR for period ended September 30, 2019 stating no difficulties were had in performing the audit. PBH provided a CAFR letter and the CAFR to all members of the City Council and Executive Staff.

- b) City Manager Introduction of Economic Development Consultant

City Manager Jeff James introduced Trent Petty of Petty and Associates, as the city's Economic Development Consultant. Mr. Petty provided his qualifications and a statement of tools he plans to utilize to accomplish the city's goals as well as plan process for meeting with staff and learning the goals and objectives.

3) Mayor/Council

- a) Mayor Pro Tem Evelyn Spurlock will present information received at the recent WSISD Suicide Prevention Training she attended.

Mayor Pro Tem Spurlock discussed the importance of suicide awareness and mentioned resources received from training provided by WSISD; she distributed the information to the governing body and made handouts available to members of the audience.

CITIZEN PARTICIPATION

Daniel Bennet of 408 Pemberton addressed the City Council in opposition to WSISD Election process and the Tarrant Appraisal District process for hearing items on TAD agendas.

Scott Evans of 805 Perry Dr. addressed the City Council in opposition to the City Manager, City Secretary, and other city personnel sharing his opinion that personnel are not completing job duties as required.

CONSENT AGENDA

Council Member Moore made a motion to approve the consent agenda. Mayor Pro Tem Spurlock seconded the motion which carried unanimously. Approval of the consent agenda included the following:

- 4) Approval of City Council meeting minutes:
 - a) January 7, 2020
- 5) Acknowledge receipt of Monthly Financial Statements for FY 19 – 20 as of December 31, 2019.
- 6) Acknowledge receipt and approval of Quarterly Investment Report for Quarter ending December 31, 2019.
- 7) Acknowledge acceptance of and approval of FY 2018-2019 CAFR (Comprehensive Annual Financial Report).
- 8) Approval of continued membership with Texas Municipal League (TML) for a membership fee, based on population, of \$3246.00.
- 9) Approval of a resolution authorizing continued participation with the Atmos Cities Steering Committee (ACSC); and authorizing the payment of five cents per capita to the ACSC to fund regulatory and related activities related to Atmos Energy Corporation.

EXECUTIVE SESSION

Mayor White announced City Council will convene in Executive Session at 7:36 PM after first reading the following:

Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the City Council may convene into Executive Session to deliberate regarding the following matters:

Sec. 551.071 Consultation with Attorney: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to seek legal advice from the City Attorney about any matters listed on the agenda, and the following topics:

- (a) Cause No. 048-288516-16, City of White Settlement and the White Settlement Economic Development Corporation v. Benjamin S. Emmons and Source Capital, LLC;
- (b) Provision at Bomber Road Apartment Home Development at 800 Bourland Drive
- (c) Zoning text amendments regarding MF-24-A district
- (d) Zoning text amendments regarding money services
- (e) Rezoning of 704 Dale Lane

Sec. 551.072 Deliberation Regarding Real Property: The City Council may deliberate the purchase, exchange, lease or value of real property, including consideration of offers made on such properties, including 7945 White Settlement Road.

RECONVENE IN OPEN SESSION

Take action, if any, on items discussed in Executive Session.

Mayor White announced City Council reconvened from Executive Session at 8:37 PM to take action as a result of Executive Session.

No action was taken.

DELIBERATION AGENDA

PLANNING AND DEVELOPMENT:

10) Hold a PUBLIC HEARING and consider an ordinance amending the Zoning Ordinance by creating a new MF-24-A zoning district and amending the following: Section 111-31 "Permitted use table" to add the MF-24-A zoning district and to designate uses; Subsection (1) of Section 111-53 "Established classifications" to add the MF-24-A Zoning district; Article IV "Residential District Regulations" by adding a new Section 111-93 "MF-24-A multifamily residential district—high density"; Subsection (b)(1) of Section 111-207 "Site plan requirements"; Subsection (c) of Section 111-216 "Antenna facilities"; and Subsection (4) of Section 111-267 "Parking regulations".

Building Official Robert Nunley presented the item explaining the proposed amendments.

Mayor White opened the Public Hearing.

Mr. Ray Oujesky of KellyHart, serving as Legal Counsel to the apartment complex affected by this amendment, addressed the City Council in favor of the amendments explaining the current zoning is preventing the sale of the apartment complex.

Hearing no other speakers Mayor White closed the Public Hearing.

Council Member Moore made a motion to approve the ordinance. City Attorney Drew Larking asked Council Member Moore to amend his motion to "approve as presented" to which Council Member Moore so moved. Mayor Pro Tem Spurlock seconded the motion which carried unanimously.

11) Hold a PUBLIC HEARING and consider an ordinance rezoning a tract of land from MF-24 multifamily residential district—high density to MF-24-A multifamily residential district—high density. The property is known as Block 1 Lot 1, Gold Creek Apartments Addition and is commonly known as 704 Dale Lane, White Settlement, TX 76108.

Building Official Robert Nunley presented the item stating this items intent is to "clean up" the zoning for this property.

Mayor White opened the Public Hearing.

Mr. Ray Oujesky of KellyHart, serving as Legal Counsel to the apartment complex affected by this amendment located at 704 Dale Lane, addressed the City Council in favor of the amendments explaining the current zoning is presenting the sale of the apartment complex.

Council member Geesa made a motion to approve an ordinance rezoning a tract of land from MF-24 multifamily residential district—high density to MF-24-A multifamily residential district—high density. The property is known as Block 1 Lot 1, Gold Creek Apartments Addition and is commonly known as 704 Dale Lane, White Settlement, TX 76108. Council Member Grudzinski seconded the motion which carried unanimously.

12) Hold a PUBLIC HEARING and consider an ordinance amending section 111-6(2) "Definitions" of the Zoning Ordinance by amending the definition of "Bank, Savings and Loan Association, Financial Institution" and by adding a new definition for "Money Services".

Building Official Robert Nunley presented the item explaining the proposed definitions stating this permit the new defined business in all of commercial corridor zoned areas.

Mayor White opened the Public Hearing.

Mr. Thomas West of 5049 Edwards Ranch Road addressed the Council regarding a letter dated December 4, 2019 in regards to zoning at the location. Mr. West explained reasons for seeking the change, property challenges, and his support of proposed property use if the above mentioned amendments are allowed.

Patricia England of 852 McCully Street addressed the City Council in response to business reviews of the company seeking to occupy property that would be affected by the proposed amendments; explaining her opinion that the reviews, although positive, were less favorable than stating.

Mayor Pro Tem Evelyn Spurlock requested clarification as to the proposed amendments and commercial corridor (CC) areas. Building Official Robert Nunley confirmed, if approved, the amendments would affect all CC areas. . Mayor Pro Tem Spurlock further commented as to her opinion of the vision of commercial corridor for the city.

With there being no further speakers Mayor White closed the Public Hearing.

Mayor Pro Tem Spurlock made a motion to deny an ordinance amending section 111-6(2) "Definitions" of the Zoning Ordinance by amending the definition of "Bank, Savings and Loan Association, Financial Institution" and by adding a new definition for "Money Services". Council Member Geesa seconded the motion which carried with a vote of 4 to 1 as follows:

Council Member Moore	Aye
Mayor Pro Tem Spurlock	Aye
Council Member Munoz	Aye
Council Member Grudzinski	Aye
Council Member Geesa	Nay

COMMUNITY SERVICES:

13) Discuss and consider an ordinance amending Section 20-3 "Library Services" of Chapter 20 "Fees", of the Code of Ordinances by amending fees related to computer printing, copying, and facsimile services.

Community Services Director Rich Tharp presented the item stating the proposed fees are recommended by the Library Board and would become effective March 2, 2020.

Mayor Pro Tem Spurlock made a motion to approve an ordinance amending Section 20-3 "Library Services" of Chapter 20 "Fees", of the Code of Ordinances by amending fees related to computer printing, copying, and facsimile services. Council Member Moore seconded the motion which carried unanimously.

ADMINISTRATIVE:

14) Discuss and consider a resolution confirming support for the proposed Provision at Bomber Road Apartment Home Development located at 800 Bourland Drive.

City Manager Jeff James presented the item stating speakers on behalf of the program were in attendance to present the information. Mr. Andy Williams and Mr. Ryan Combs discussed a PowerPoint presentation with members detailing the location, proposed project, and showcasing former projects of similar nature.

Amy Jordan of 852 McCully addressed the City Council mentioning her thirty year military service and concerns of the area including floods, water pressure and traffic as well as land size. Mrs. Jordan questioned how this proposed project would affect these items and the neighborhood.

Patricia England 852 McCully addressed the council with location, traffic, and criminal mischief concerns in the area. Ms. England also mentioned hydrology numbers, pollution in the creek, drainage issues among other water related concerns.

Council Members and staff reiterated the item was not to approve a project but rather to support the idea allowing the developers to move forward with federal applications. Once the federal application process is completed the developers would be required to return to the city for further public hearings and approvals.

Mayor Pro Tem Spurlock made a motion to approve a resolution confirming support for the proposed Provision at Bomber Road Apartment Home Development located at 800 Bourland Drive. Council Member Moore seconded the motion which carried unanimously.

15) Discuss and consider an ordinance establishing a distance separation between properties containing multi-family residential development in proximity to the Lockheed Martin Facility.

Mayor Pro Tem Spurlock made a motion to approve an ordinance establishing a distance separation between properties containing multi-family residential development in proximity to the Lockheed Martin Facility. Council Member Moore seconded the motion which carried unanimously.

16) Public hearing and consider resolution approving and adopting the Silver Creek Neighborhood Revitalization Plan.

Mayor White opened the Public Hearing. No speakers were heard. Mayor White closed the Public Hearing.

Mayor Pro Tem Spurlock made a motion to approve resolution approving and adopting the Silver Creek Neighborhood Revitalization Plan. Council Member Grudzinski seconded the motion which carried unanimously.

17) Discuss and consider a resolution authorizing the sale of certain real property described as 416 S. Redford.

City Manager Jeff James presented the item stating this is the largest offer received to date on this property and further stated staff recommends approval.

Mayor Pro Tem Spurlock made a motion to approve a resolution authorizing the sale of certain real property described as 416 S. Redford. Council Member Munoz seconded the motion which carried with a vote of 4 to 1 as follows:

Council Member Moore	Aye
Mayor Pro Tem Spurlock	Aye
Council Member Munoz	Aye
Council Member Grudzinski	Aye
Council Member Geesa	Nay

18) Discuss and consider a resolution authorizing the purchase of certain real property described as 7945 White Settlement Road.

City Manager Jeff James noted this item was discussed in Executive Session and explained the proposed purchase.

Mayor Pro Tem Spurlock made a motion to approve a resolution authorizing the purchase of certain real property described as 7945 White Settlement Road. Council Member Munoz seconded the motion which carried unanimously.

19) Discuss and consider an ordinance amending Section 20-2 "Construction, zoning, sign, subdivision and other fees" of the Code of Ordinance by amending fees related to residential building permits.

Building Official Robert Nunley referenced pages 138-139 of the agenda to explain the proposed changes. Mr. Nunley explained the addition of minimum square footage, the inability to use valuation charts and compliance with new legislation.

Council Member Geesa questioned the use of valuation charts and whether fees were reasonable. Staff mentioned again the inability to use valuation charts due to new legislation and confirmed the fees are reasonable.

Council Member Moore made a motion to approve an ordinance amending Section 20-2 "Construction, zoning, sign, subdivision and other fees" of the Code of Ordinance by amending fees related to residential building permits. Mayor Pro Tem Spurlock seconded the motion which carried unanimously.

BOARD APPOINTMENTS:

20) Take action to fill an unexpired term to Place 4 on the Crime Control and Prevention District with the term to expire February 2022.

Council Member Grudzinski made a motion to appoint Faron Young to fill an unexpired term to Place 4 on the Crime Control and Prevention District with the term to expire February 2022. Council Member Geesa seconded the motion which carried unanimously.

ADJOURNMENT

With there being no further discussion Mayor White adjourned the meeting at 10 PM.

Approved this 3rd day of March, 2020



Ronald A. White

Ronald A. White, Mayor

ATTEST:

Amy Arnold

Amy Arnold, TRMC, CMC

City Secretary