

MINUTES OF THE REGULAR MEETING OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, CITY COUNCIL HELD ON APRIL 21, 2022 AT 6:00 P.M. IN THE COUNCIL CHAMBERS, 2600 ROOSEVELT DRIVE, DALWORTHINGTON GARDENS, TEXAS.

WORK SESSION – 6:00 P.M.

1. CALL TO ORDER

Mayor Bianco called the meeting to order at 6:00 p.m. with the following present:

Members Present:

Laura Bianco, Mayor
John King, Alderman, Place 1
Steve Lafferty, Alderman, Place 2
Cathy Stein, Alderman, Place 3
Ed Motley, Mayor Pro Tem; Alderman, Place 4
Joe Kohn, Alderman, Place 5

Staff Present:

Lola Hazel, City Administrator
Greg Petty, DPS Director
Kay Day, Finance Director
Kyle Sugg, Public Works Director
Kylon Wilson, City Engineer

2. WORK SESSION

a. Proposed development for Block 1, Lot 6, Gardens Town Center.

Work session conducted.

b. Work Session on other listed agenda items, if time permits.

Engineering update provided.

REGULAR SESSION – 7:00 P.M.

1. CALL TO ORDER

Mayor Bianco called the meeting to order at 7:00 p.m. with the following present:

Members Present:

Laura Bianco, Mayor
John King, Alderman, Place 1
Steve Lafferty, Alderman, Place 2
Cathy Stein, Alderman, Place 3
Ed Motley, Mayor Pro Tem; Alderman, Place 4
Joe Kohn, Alderman, Place 5

Staff Present:

Lola Hazel, City Administrator

Greg Petty, DPS Director
Kay Day, Finance Director
Kyle Sugg, Public Works Director
Kylon Wilson, City Engineer

2. INVOCATION, AND PLEDGES OF ALLEGIANCE

Konstantin Maslenikov with the Salvation Army gave the invocation. Pledges were said.

3. PRESENTATIONS AND PROCLAMATIONS

a. Receive presentation from the Salvation Army.

A presentation was received from the Salvation Army.

4. ITEMS OF COMMUNITY INTEREST

The following items were presented.

- a. **Park Board Work Day, May 7, 9am-noon**
- b. **CPSAAA CHL Fundraiser, June 4**
- c. **National Night Out, October 4**

5. CITIZEN COMMENTS

Tracy Dodson, 2705 Whisperwood Trail: Announced the CPSAAA CHL Class coming up on June 4.

6. MAYOR AND COUNCIL COMMENTS

Mayor Bianco: Commended DPS on their response to ACA, as well as Jennifer Burkhart working in dispatch. Thanked Chad Neuzil who works for Royce Minatra, a local CPA, for cleaning up trash on Bowen Road. Congratulated the Park Board on acquiring the small community grant for playground equipment. Announced an upcoming event happening on May 21, 2022 called DWG Presents/Taking Roots that will take place at DWG City Hall.

John King: None

Steve Lafferty: Complimented DPS on response to situation at ACA the other day.

Cathy Stein: Echoed Steve's comments. Wished Kyle Sugg the best.

Ed Motley: None.

Joe Kohn: None.

7. DEPARTMENTAL REPORTS

- a. **DPS Report**
- b. **Financial Reports**
- c. **Quarterly Investment Report**
- d. **City Administrator Report**

e. Public Works Report

Departmental Reports were presented.

8. CONSENT AGENDA

- a. Approval of March 17, 2022 regular meeting minutes.**
- b. Approval of Ordinance No. 2022-09 approving budget amendments for FY 2021-2022.**
- c. Approval of Resolution No. 2022-07 ratifying a change to the City Comprehensive Financial Policy to change how audit committee members are selected each fiscal year.**
- d. Approval of Resolution No. 2022-08 approving a small clerical change to the city budget process.**
- e. Approval of Ordinance No. 2022-08 making changes to the City of Dalworthington Gardens Code of Ordinances, Article 5.02, Fire Code, adopting additional local amendments to the 2015 International Fire Code to assess penalties for failure to pay annual fire inspection fees.**
- f. Approval of Resolution No. 2022-09 appointing two members to the Park Board.**
- g. Presentation and acknowledgment of budget adjustments.**

A motion was made by Council Member Cathy Stein and seconded by Council Member John King to approve the Consent Agenda.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley, and Kohn

Nays: None

9. REGULAR AGENDA

- a. Consider approval of an application for a replat of Lot I-R-1, Block 1, Strickland Addition, being a replat of a portion of Lot 1, Block 1, Strickland Addition, an addition to the City of Dalworthington Gardens, Tarrant County, Texas, according to the plat recorded in Instrument No. D217254340, plat records, Tarrant County, Texas and Lot I-R-2, Gargano Estates, being a replat of a portion of Lot 1, Block 1, of said Strickland Addition, and all of Lot 2, Gargano Estates, an addition to the City of Dalworthington Gardens, Tarrant County, Texas as recorded in Volume 388-215, Page 70, P.R.T.C.T., and being adjacent to location commonly known as 3201 Sieber Drive.**

- i. Public hearing**
- ii. Discussion and possible action**

Background information on this item: Section 10.02.004 of the City's Code of Ordinance states no land is to be subdivided in the city except by platting in compliance with chapter 212 of the Texas Local Government Code and city ordinance, and no building permit shall be issued for construction of improvements on any property not platted.

3121 Sieber Drive which is owned by Ben Smith will be combined with the back half of the property at 3201 Sieber Drive which is owned by Bryson Swiggart.

In accordance with Section 10.02.031, the city determined the plat application to be complete on November 16, 2021 (initially received on June 17, 2021 but found to be incomplete). In accordance with Section 10.02.094, the plat application was then forwarded to the city engineer for review. On March 2, 2022, the city engineer conducted his final review of the plat, determined the plat conforms with the City's subdivision ordinance, and recommended approval of the plat.

The city has notified all property owners within 200' and included information on how to provide public comments at both the planning and zoning meeting and city council meeting.

Local Government Code, Chapter 212, states plats that satisfy all applicable regulations must be approved. The proposed plat satisfies all requirements of city ordinances. As such, staff recommends approval of this plat.

Mayor Bianco opened a public hearing at 7:34 pm

With no one desiring to speak, Mayor Bianco closed the public hearing at 7:35 pm

A motion was made by Council Member John King and seconded by Council Member Joe Kohn approve to an application for a replat of Lot 1-R-1, Block 1, Strickland Addition, being a replat of a portion of Lot 1, Block 1, Strickland Addition, an addition to the City of Dalworthington Gardens, Tarrant County, Texas, according to the plat recorded in Instrument No. D217254340, plat records, Tarrant County, Texas and Lot 1-R-2, Gargano Estates, being a replat of a portion of Lot 1, Block 1, of said Strickland Addition, and all of Lot 2, Gargano Estates, an addition to the City of Dalworthington Gardens, Tarrant County, Texas as recorded in Volume 388-215, Page 70, P.R.T.C.T., and being adjacent to location commonly known as 3201 Sieber Drive.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley, and Kohn

Nays: None

b. Provide feedback regarding a proposed development for Block 1, Lot 6, Gardens Town Center.

Background information on this item: A development was proposed for Block 1, Lot 6, Gardens Town Center. The purpose was to gain council feedback in advance of the applicant paying permit fees and going through the legal process for approval. This is one way staff aims to be more business friendly.

c. Discussion and possible action regarding a status update from the city engineer on the Orchid Court project as well as various other capital improvement projects.

Background information on this item: As requested by City Council, the city engineer provided an update on the Orchid Court project to be bid for repair as well as any other outstanding projects council desires.

d. Discussion and possible action regarding contracting with the City of Pantego for mutual aid for fire services, and also possible action to authorize the Mayor to formally waive the conflict of interest for the city's legal firm, TOASE.

Background information on this item: The city of Pantego is seeking to create a contract with the city in order for them to provide mutual aid fire services to DWG. Because both cities are represented by the same law firm, the first step is to waive the conflict of interest for the city's legal firm, TOASE.

No action taken.

e. Discussion and possible action to consider a change to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, Zoning, changing the authority to hear special exception cases.

Background information on this item: The current process for special exceptions is to go before the Planning and Zoning Commission, and then is sent to the Zoning Board of Adjustments for final decision. Staff is asking for to change to a more common practice for these requests. The first option would be to go before the Planning and Zoning Commission and then to City Council for final decision which is a typical process for zoning matters. The second option would be to go before the Zoning Board of Adjustment for final decision, no other board or council involvement would be had. This second option is used in other cities for special exceptions.

Because this language is in the zoning ordinance, to finally adopt a new process, the ordinance is required to go before Planning and Zoning before council can make changes to the ordinance.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to approve changing the process for special exceptions and other permits to be heard by Planning and Zoning and City Council.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley, and Kohn

Nays: None

f. Discussion and possible action to direct staff to create a right-of-way management ordinance.

Background information on this item: Currently, the city does not have a right-of-way (ROW) management ordinance. The city has been fortunate that the majority of contractors contact the city and pull a permit for work in the city ROW but an ordinance would make the permitting process easier and also would better allow penalizing those who do not pull the proper permits. This type of ordinance was recommended by the city attorney after some questions arose on a ROW permit. A sample ordinance is being provided from the city of Pantego. The city attorney would craft an ordinance similar to this one for DWG.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Steve Lafferty to direct staff to create a right-of-way management ordinance.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley, and Kohn

Nays: None

g. Discussion and possible action regarding changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 9, Personnel, making various changes to this chapter.

Background information on this item: City Council has discussed making changes to Chapter 9, Personnel, of the City's ordinances. The ordinance is being presented for council's direction on changes.

No action taken. Work session date set for May 11, 2022 at 6:30 p.m.

h. Discussion and possible action on Project #2022-01, DPS Building Renovations, to approve a quote for engineering design services from AME Engineering in the amount of \$25,697.00, and ask for direction and approval to start the competitive bid process for phase "A" of the project which includes the fire bay area at this time.

Background information on this item: DPS is requesting the following: (1) Approval of a quote for engineering design services from AME Engineering in the amount of \$25,697.00; and (2) Direction and approval to start the competitive bid process for phase “A” of the project which includes the fire bay area at this time.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to approve a quote for engineering design services from AME Engineering in the amount of \$25,697.00, subject to contract approval by the city attorney, and approve to start the bid process for phase “A” of the project.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley, and Kohn

Nays: None

i. Discussion and possible action regarding the SCADA system for monitoring the City water system.

Background information on this item: With the former proposal from RLC Controls, Inc., the plan for SCADA improvements included completely new software and hardware with the newest radios and components installed at each site. This proposal originally came in at \$39,500.00 but did not include any relocation of the equipment as expected.

After reviewing this information, the upgrades included in this proposal were beyond the necessity for such a small system and Staff has begun to look at other options. The primary issues that need to be addressed with the SCADA system are as follows:

- Programming to automate the SCADA system with parameters that will alternate primary entry points based on available ground storage quantities.
- Programming to include appropriate historical data including storage elevations, relative pressures, and pump run times.
- Programming to allow Win911 to perform active alerts and notifications through text message and/or email.
- Relocating the SCADA system into the Public Works Shop

Staff has received a proposal from Prime Controls, LLC that fulfills this scope at the cost of \$9,490.00. Additional work will need to be completed to enclose and climate control the Public Works shop area. Staff is recommending approval to move forward with this proposal for SCADA improvements along with the future relocation of the equipment.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to rescind the previous authorization for the SCADA package, and approve a proposal from Prime Controls, LLC in the amount of \$12,000.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley, and Kohn

Nays: None

j. Discussion and possible action regarding Project #2021-02, the Tarrant County Community Development Block Grant program for Ambassador Row, to include but not limited to any change order approval.

Background information on this item: This will be a recurring item for Project #2021-02, the 47th Year CDBG project for Ambassador Row.

No action taken.

- k. Discussion and possible action regarding amendments to the FY 2021-2022 budget in amounts not to exceed \$10,000.00.**

Background information on this item: This is a standing agenda item that will appear on all future agendas. The idea is provide an item whereby staff can discuss needs that come up after the agenda posting deadline. These would only be items that, without council approval, would otherwise put operations on hold.

No action taken.

10. TABLED ITEMS

- a. Discussion and possible action regarding consideration of bond requirements for oil and gas drilling.**

Item not addressed.

11. FUTURE AGENDA ITEMS

- a. Discussion of the path forward for the public works position to be included on next Tuesday's agenda.**

12. ADJOURN

The meeting was adjourned at 8:13 p.m.