

MINUTES OF THE REGULAR MEETING OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, CITY COUNCIL HELD ON August 15, 2024 AT 6:00 P.M. IN THE COUNCIL CHAMBERS, 2600 ROOSEVELT DRIVE, DALWORTHINGTON GARDENS, TEXAS.

While the order of some agenda items may have been changed, the following represents all items discussed and acted upon by the City Council.

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

Member Absent:

Mark McGuire, Alderman, Place 5

Staff Present:

Greg Petty, DPS Director/City Administrator
Kay Day, Finance Director
Cheyennena Althoff, Finance Assistant
Sandra Ma, City Secretary/Court Administrator

2. EXECUTIVE SESSION

Any action may be deferred until 7:00 p.m. Regular Session

i. Recess into Executive Session:

City Council recessed into Executive Session at 6:01 p.m.

(1) Pursuant to Texas government Code, Section 551.089, discussion regarding critical infrastructure along Arkansas and Bowen Road with Engineer Stuart Williams from Kimley-Horn

City Council recessed into Executive Session at 7:47 p.m.

(2) Pursuant to Texas Government Code, Section 551.0171, Attorney Consultation and 551.074, Personnel Matters, regarding the City Administrator, City Secretary, Finance Director, Assistant Finance Director, Court Clerk/Administrative Clerk, and Court Administrator.

ii. Reconvene into Regular Session for discussion and possible action on:

City Council reconvened into Regular Session at 6:33 p.m. Action was deferred until 7:00 p.m.

(1) critical infrastructure along Arkansas and Bowen Road.

No action was taken

City Council reconvened into Regular Session at 8:17 p.m.

(2) personnel matters, regarding City Administrator, City Secretary, Finance Director, Assistant Finance Director, Court Clerk/Administrative Clerk, and Court Administrator.

No action was taken

3. WORK SESSION

a. **Receive presentation from Melissa Huffman real estate broker representing Lucas Funeral homes on a purchase at 3513 S. Bowen Road.**

Presentation Received.

b. **Presentation from Kimley-Horn on update from sewer studies.**

Item was removed.

c. **Work Session on listed agenda items, if time permits.**

REGULAR SESSION

1. CALL TO ORDER

Mayor Bianco called the meeting to order at 7:02 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

Member Absent:

Mark McGuire, Alderman, Place 5

Staff Present:

Greg Petty, DPS Director/City Administrator

Kay Day, Finance Director

Cheyennena Althoff, Finance Assistant

Sandra Ma, City Secretary/Court Administrator

2. INVOCATION, AND PLEDGES OF ALLEGIANCE

Mayor gave invocation. Pledges were said.

3. PRESENTATIONS AND PROCLAMATIONS

a. Proclamation for Aaron Reich

Mayor presented a proclamation recognizing Aaron Reich.

b. Proclamation for City of Rothenburg, Germany

Mayor read aloud a proclamation recognizing City of Rothenburg, Germany

4. ITEMS OF COMMUNITY INTEREST

The following items were presented.

D DWG's Farmers Market 10-2 p.m. at ACA

a. Business over Breakfast, Saturday, September 4, 2024 at 8:00 a.m.

- b. Day with the Law, Saturday, September 7, 2024 from 10:00 a.m. – 2:00 p.m.
- c. Park Workday, Saturday, September 14, 2024 from 9:00 a.m. – 12:00 p.m.
- d. Concert in the Park, Saturday 21, 2024 at 7:00 p.m. – 9:00 p.m.
- e. Trunk-or-Treat, Saturday, October 19, 2024 from 5:30-7:30 p.m.
- f. Movie Night, TBD, Saturday, November 9, 2024 at 7:00 p.m.
- g. Pictures with Santa, Sunday, December 8, 2024 from 3:00 – 5:00 p.m.

5. CITIZEN COMMENTS

None

6. MAYOR AND COUNCIL COMMENTS

Ed Motley: Said it is great to have everyone here and appreciates everyone that came out tonight. Asked everyone take a minute to remember Sgt. Billy Randolph and keep his family in your prayers. He was a Fort Worth officer that was tragically killed this last week. He appreciates all officers and firefighters that put themselves in danger to protect everyone in their community.

John King: None

Steve Lafferty: None

Cathy Stein: DWG Farmer’s Market business hours may change due to the extreme heat. They will open at 10:00 a.m., but may close early due to the heat index. If you would like to attend, go early and visit the vendors.

Mayor Bianco: She is glad school is back in session. Key Elementary is still working on the roads, but Dr. Cavazos promised us that the drive-thru will help alleviate some of the traffic. ACA is also back in session with no complaints on traffic. Susan and husband Jeff Kutac created a new community event to connect with other DWG residents. The New DWG Empty Nester Club. Next meeting will be August 12. To the local business owners, Tony Brock who is a leader in the business sector and executive director of the Griffin Leadership Institute is at the new Medal of Honor Museum. He will conduct a workshop on August 24 regarding leadership. She also asked for everyone to keep the Wilkinson’s family in your prayer. Gregg Wilkinson, owner of New Frills Grill, lost his wife Nancy.

7. DEPARTMENTAL REPORTS

Informational reports only; no action to be taken.

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

Departmental Reports were presented.

8. CONSENT AGENDA

All consent items are considered to be routine and will be enacted by one motion and vote.

- h. **Approval of March 21, 2024 Minutes**
- i. **Approval of May 8, 2024 Minutes**
- j. **Approval of May 16, 2024 Minutes**
- k. **Ratification of invoices over \$5,000 for water leak repairs -2805 Sunset & Fire Hydrant**
- l. **Ratification of invoices over \$5,000 for Texas Automation System.**
- m. **Ratification of invoices over \$5,000 for pedestrian bridges.**

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Steve Lafferty to approve the consent agenda.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, and Stein
Nays: None

9. REGULAR AGENDA

At this time, Council Member Cathy Stein recused herself from discussing items a and b.

Items a and b were not heard. These topics need a super majority vote. There were not enough members present to vote.

These topics will be continued to the 9/19/2024 council meeting.

a. Discussion and possible action to consider a modification to the Bowen Road Overlay District to extend its boundary to include the property located at 2601 and 2615 California Lane, Eleanor Estates for Garden Homes.

- i. Conduct Public Hearing**
- ii. Discussion and action**

b. Discussion and possible action to approve revisions to Article 14.02, Division 7, "Overlay District Regulations" of Ordinances, City of Dalworthington Gardens, Texas

- i. Conduct Public Hearing**
- ii. Discussion and action**

Public hearing was opened at 7:24 p.m. for items a and b.

Connie Gillespie, 2719 California Lane, asked a question about flooding at this development.

Mary Webster, 3301 Evie, asked a question to why Cathy Stein was not present to listen to this topic as a homeowner

Tim Riddle, 3115 Roosevelt, asked a question about Garden Homes location.

Council Member Cathy Stein returned to the meeting.

c. Discussion and possible action to give direction to the Park Board to recommend guidelines for the maintenance of the park.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to ask the Park Board to develop a set of guidelines to give to staff regarding direction on how the property should be maintained and frequency of maintenance such as tree trimmings, mowing, including the baseball field.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, and Stein

Nays: None

d. Consider approval of a resolution to select an institution to provide bank depository services and authorize staff and/or Mayor to negotiate a contract.

Background Information: Council approved Resolution 2019-15 on March 21, 2019 selecting Susser Bank (formerly Affiliated Bank) to provide depository services for the City.

Justification for Request: Chapter 105 of the Local Government Code requires cities to go through the Application process for depositories every five years. Staff has received RFP's from Susser Bank, Frost Bank and Prosperity Bank. Due to a late submission, staff was only able to review 2 of the listed RFP's.

Staff thoroughly examined and compared both RFP's finding performance and policy similarities. However, the determining factor was derived from the attached RFP Bid Cost Analysis.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Steve Lafferty to approve of a resolution to select Susser Bank to provide bank depository services and authorize staff and/or Mayor to negotiate a contract.

Motion carried by the following vote:
Ayes: Members King, Lafferty, Motley, and Stein
Nays: None

- e. **FY 2024-2025 Proposed City Budget: Any necessary discussion or action on changes to the proposed budget only. Official public hearing and budget adoption will take place at the September 19, 2024 Council Meeting.**

Background Information:

This item is provided as a mechanism by which to discuss any changes to the proposed budget. Any action on this item would not constitute final adoption of the fiscal year budget, but only changes to the proposed budget. Staff will present any additional budget changes the night of the meeting.

No Action was taken.

- f. **Discussion and possible action on setting the maximum proposed ad valorem tax rate; setting date for a public hearing on the proposed tax rate; and setting the date at which City Council will adopt the FY 2024-2025 ad valorem tax rate.**

Background Information:

Chapter 26 of the Tax Code outlines requirements for the notice, hearing, and vote on tax rates.

In accordance with Chapter 26, Council will be:

- Voting on a proposed tax rate of which cannot be exceeded when the tax rate is adopted at the

September 19, 2024 meeting

- Scheduling and stating the date of a public hearing
- Scheduling and stating the date at which Council will adopt the 2024-2025 tax rate

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to approve a proposed ad valorem tax rate not to exceed \$.616040 per \$100 of taxable value; setting the date, time, and location for both a public hearing date and tax rate adoption date as Thursday, September 19, 2024 at 7:00 p.m. to be held in the City Hall Council Chambers, 2600 Roosevelt Drive, DWG, Texas 76016.

Motion carried by the following vote:
Ayes: Members King, Lafferty, Motley, and Stein
Nays: None

- g. **Discussion and possible action to approve Resolution 2024-09, Supporting A Statutory Amendment to Texas Local Government Code Chapter 394 Regarding Housing Finance Corporations in Municipalities and Counties; Finding that the Meeting at Which this Resolutions is Passed is Open to the Public as Required by Law; and Declaring an Effective Date.**

Background Information:

Mayor was informed at the Mayor's Council Meeting of an issue arising with neighboring cities regarding the Cameron County Housing Finance Corporation, which is located in south Texas who owns properties throughout the State of Texas which are all tax exempt.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to approve Resolution 2024-09, Supporting A Statutory Amendment to Texas Local Government Code Chapter 394 Regarding Housing Finance Corporations in Municipalities and Counties; Finding that the Meeting at Which this Resolutions is Passed is Open to the Public as Required by Law; and Declaring an Effective Date.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, and Stein

Nays: None

h. Discussion and possible action to approve Resolution 2024-11, to support legislation allowing part-time Fire fighter more work hours than the current maximum of 24 hours per week.

Background Information

Since the last Texas legislative session, the City of DWG learned that part time firefighters are limited to a maximum of 24 hours per week. This created a challenge to the city as it seeks to add paid part time firefighters to our fire department along with volunteers and our cross trained DPS staff.

It would be beneficial to the city to have that legislation changed to allow more hours per week if a firefighter has the capacity to do so. TML is working on its legislative agenda for the upcoming legislative session. Cities may submit a resolution for legislation to be added to the legislative agenda by August 26. The addition of the resolution to their legislative agenda would be voted on at the business meeting at the TML Conference in October. Having the backing of TML can greatly assist the chances of a bill becoming law.

In addition to this resolution, whether TML adopts it or not, the city will need to contact our representatives and possibly additional entities to attempt to secure passage of a change to the maximum number of hours requirement for part time firefighters.

A motion was made by Council Member Cathy Stein and seconded by Council Member Steve Lafferty to approve Resolution 2024-11, to support legislation allowing part-time Fire fighter more work hours than the current maximum of 24 hours per week.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, and Stein

Nays: None

10. TABLED ITEMS

a. Discussion and possible action to direct staff regarding correctly indicating when special exceptions are authorized in accordance with Section 14.02.321 of city ordinances, to include but not limited to special exceptions for private stables as allowed in Section 14.02.172 "SF" residential district uses.

Item not addressed.

11. FUTURE AGENDA ITEMS.

None

2. ADJOURN

The meeting was adjourned at 8:17 p.m.