

**MINUTES OF THE REGULAR MEETING OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, CITY COUNCIL HELD ON FEBRUARY 23, 2021 AT 6:01 P.M. IN THE COUNCIL CHAMBERS, 2600 ROOSEVELT DRIVE, DALWORTHINGTON GARDENS, TEXAS.**

*The Regular Meeting to be held on February 18, 2021 was rescheduled to February 23, 2021 because of Winter Storm Uri which occurred from February 13-17, 2021.*

*Although the Mayor and two Council Members physically attended the meeting, the remaining Council Members attended the meeting virtually and a public dial in number was provided as a remote option to the public. This option was provided to advance the public health goal of slowing the spread of the Coronavirus (COVID-19)*

**WORK SESSION – 6:01 P.M.**

**1. CALL TO ORDER**

Mayor Bianco called the meeting to order at 6:08 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

**2. WORK SESSION**

- a. **Provide feedback on a proposed development for Gardens Town Center, Lot 6, at the northwest corner of Bowen Road and Pleasant Ridge, Dalworthington Gardens, prior to the applicant obtaining necessary permits and approvals for said development.**
- b. **Moving fire inspection duties to an existing part-time DPS employee, using an overage of a sign permit fee as the funding source.**

Both items were discussed in the work session.

**3. DISCUSSION OF OTHER AGENDA ITEMS, IF TIME PERMITS**

Item 8a., Garbage and recycling item was also discussed in the work session.

**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

**2. INVOCATION AND PLEDGES OF ALLEGIANCE**

Mayor gave invocation. Pledges were said.

**3. ITEMS OF COMMUNITY INTEREST**

The following items were presented.

- **Easter Egg Hunt – March 27, 2021 (home visit instead of public event)**
- **Earth Day/Rock Painting – April 2021 (social distancing come and go event)**
- **Movie Night – May 2021**

**4. CITIZEN COMMENTS**

None.

**5. MAYOR AND COUNCIL COMMENTS**

- **Mayor Bianco:** I want to thank the following people Jeff Chasteen, Marcus Day, David Flores, and Bryan Davis, our public works team, have been absolutely extraordinary. They have worked around the clock with little to no sleep to respond to an unprecedented amount of water leaks and breaks while also ensuring our city did not go without water and our roads were passable. They were constantly monitoring the weather conditions and proactively seeking to solve problems before they happened. Jeff Chasteen did an outstanding job managing public works needs and his efforts far exceeded our expectations during this event. As everyone already knows, we have the most awesome DPS of any city in the USA. They not only lived up to their reputation but exceeded anyone's expectations. Their constant watch over our citizens and businesses kept us safe. Our volunteers were available 24/7 and showed up to assist in managing water leaks, frozen streets, burst water pipes, etc. Our volunteers were on active duty throughout the entire week as we witnessed our state under the siege of a winter storm. God bless our dispatchers! Despite the overwhelming number of calls, they handled it in stride just like any other day when they go above and beyond to do their jobs. Kudos to Sandra Ma who handled calls and solved problems on the city and utility side of things. Sandra single-handedly represented city staff on water leak calls, and monitoring citizen water usage so we could effectively detect leaks to notify citizens and organize solutions. We thank God every day for her sense of calmness in the midst of a disaster. Thank you to Gary Harsley for monitoring businesses and coming up with ways to lessen the burden on citizens during these unprecedented times. Thank you to Kay Day for always being available to address any financial concerns the city and our citizens have, and for helping prepare utility billing this month to lessen workload for other staff members who had to direct their attention to the snow storm. Thank you to Jennifer Burkhart for always being available inside and outside of the office to assist others even outside of her scope of duties. She is always a call or a text away at any given moment. Although we required Allison Watkins, Carla Newbell, and Doreen Summerall to stay home for safety, they are always willing and ready to serve in any capacity and our city is so blessed to have them. Without the brains behind the brawn, we would not have been able to effectively manage every emergency situation that arose. My sincere thanks and respect go to Lola Hazel and Greg Petty. They are the brains behind the city operations. Neither of these two individuals closed their eyes the entire week when we were confronted with this arctic blast. Despite damages to their own homes, their allegiance to the city came first. I cannot tell you the level of respect and love I have for both Lola and Chief Petty. I am humbly indebted to both of them for not only what they give to a crisis, but each and every day they come to work. Most of

all, I want to express my gratitude to each and every citizen in "our community". Thank you for your patience and grace as we tried to mitigate each and every situation that arose. You are the most important part of our city, and on behalf of the entire staff and myself, thank you for giving us the privilege to serve you. We never take this lightly. And lastly, we have a few of our citizenry that will appear in the Court of Kindness. Thank you Anna and David Cook for providing pancakes to those who were working around the clock. We would like to thank Dino Bianco for scraping ice off the entrance to Enchanted Gardens to ensure the safest possible road conditions. Mark Shelton always gets a shout out for having a generous heart and supplying our troops with pizza from CiCi's. If there is anyone I have failed to recognize, would you please let me know because it is very important to acknowledge the kindness extended to us by our citizens.

- **John King:** Echoed Mr. Motley's comments on thanking citizens and staff for patience and efforts during Winter Storm Uri.
- **Steve Lafferty:** Echoed Mr. Motley's comments on thanking citizens and staff for patience and efforts during Winter Storm Uri. Special thanks to public works staff and those spending the night to monitor things.
- **Cathy Stein:** Echoed everyone's comments. Stated she helped citizens get signed up for notifications.
- **Ed Motley:** Thanked staff for getting citizens through last week. Thanked citizens for their patience.
- **Joe Kohn:** Echoed others comments. Said everybody did an outstanding job.

## 6. DEPARTMENTAL REPORTS

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

Departmental Reports were presented.

## 7. CONSENT AGENDA

- a. **Acknowledgement and acceptance of a Proclamation supporting the Mayor's Monarch Challenge.**
- b. **Approval of the January 21, 2021 regular meeting minutes**
- c. **Approval of the January 28, 2021 special meeting minutes**
- d. **Approval of Resolution No. 2021-02 ratifying changing to the Purchase Policy, section IV, as it relates to routine recurring expenses.**
- e. **Approval of Resolution No. 2021-03 ratifying changes to the Capitalization and Depreciation Policy as it relates to the minimum requirement for capitalization of assets.**
- f. **Approval of Ordinance No. 2021-02 ratifying changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 13, Utilities, Article 13.03 and Article 13.04, specifically as it pertains to garbage, recycling, and utility billing practices.**
- g. **Approval of Resolution No. 2021-04 authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.**
- h. **Approval of Ordinance No. 2021-03 approving budget amendments for FY 2020-2021.**

- i. **Presentation and acknowledgment of budget adjustments for February 2021.**
- j. **Approval of Resolution No. 2021-05 appointing City Council members to an audit committee for 2021.**
- k. **Consider proposed legislative bills to show support of H.B. 1030 and S.B. 402 and opposition of H.B. 749, and consider directing the City Administrator to submit a resolution in support or opposition of said bills where appropriate.**

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to approve the Consent Agenda except for item h. which is redundant to item j. and does not need consideration on this agenda.

Motion carried by the following vote:

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

Nays: None

## 8. REGULAR AGENDA

- a. **Consider approval of Resolution No. 2021-06 to approve an increase to garbage and recycling rates from Republic Services.**

Background information on this item: Republic Services' contract allows them to adjust their rates annually based on the average percentage change in the Consumer Price Index. The 2020 period for garbage and trash increased by an average of 3.13 percent. Recycling processing decreased slightly making the rate impact 1.09%. The net effect is the residential rate is only increasing by 2.51%.

The residential trash rate will increase from \$10.43 per month to \$10.76 per month, a \$.34 per month increase. The current recycle rate of \$4.60 will increase by \$.05 resulting in a new recycle rate of \$4.65. The total residential rate will increase to \$15.41.

Council did not include in the budget to pass along any increase to customers, but the increase from Republic to the City is within the budget. Staff is including a proposed increase amount in the event council does choose to pass along any increase to customers. The proposed increase is based on past practices.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Joe Kohn to approve Resolution No. 2021-06 to approve an increase in garbage and recycling rates from Republic Services and to pass along an increase to customers maintaining the same margin of 10% increase for residential, 20% increase for commercial, and 10% increase for additional recycling cart.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, and Kohn

Nays: Member Stein

- b. **Discussion and possible action to provide feedback on a proposed development for Gardens Town Center, Lot 6, at the northwest corner of Bowen Road and Pleasant Ridge, Dalworthington Gardens, prior to the applicant obtaining necessary permits and approvals for said development. An associated closed session is on the agenda to discuss economic development incentives.**

Background information on this item: Staff is requesting feedback on a proposed development for Lot 6 of Gardens Town Center. The below map shows the location of Lot 6 in reference to existing businesses and other lots. Presenting developments in advance of the permitting process is one way the City is being more business-friendly as it allows Council feedback prior to developers investing time and money into a project. This, in no way, will constitute any permitting approval of said development.

No action taken.

**c. Conduct a public hearing to receive citizen input for the proposed 47th Year Community Development Block Grant.**

Background information on this item: Council approved the 47th Year CDBG project at the December 17, 2020 Council Meeting. The project approved was for the reconstruction of Ambassador Row from Chase Court to Roman Court. Staff has submitted the application for the grant.

Part of the process for grant consideration is to solicit and show support from citizens for the chosen project. Thus, the reason for tonight's public hearing. Typically, comment cards are handed out at the meeting, but in today's virtual world, staff will be putting specific comments in the minutes to show support. Citizens are encouraged to provide verbal support as well.

Item not addressed. Note: Because the public hearing notice was published in the newspaper as being scheduled for February 18, 2021, and the February 18 meeting was rescheduled to February 23 for the winter storm emergency, the public hearing could not be held and needed to be republished. The hearing will be moved to March 18, 2021 once notice is published in the newspaper.

**d. Discussion and possible action to move fire inspection duties to an existing part-time DPS employee, using an overage of a sign permit fee as the funding source.**

Background information on this item: Gary Harsley is the City's current Community Development Director and as you can see from his job description included in your packet, Gary covers the areas of Building Official, City Inspector, Code Enforcement, and some Animal Control. The fire inspection duties he currently handles are not included in this job description as they are under the DPS umbrella. Fire inspection duties are in addition to all of the aforementioned areas.

Gary was hired part-time in early 2017 to just do fire inspections. Historically, fire inspections had not been done in the City and thus Gary's position was an added area to staff's existing duties. In 2018, Gary was hired full-time to replace the previous Building Official. The Building Official position is a 40+ hour/week position, and Gary was still continuing to do the fire inspections he needed 20 hours weekly to complete. Over Gary's tenure at the city, he has taken on other tasks that were outsourced in order to save the city money. Two of those tasks being plumbing inspections and gas well inspections. The additional piece of important information is when Gary was hired full time, he then answered to two different supervisors since the Building Official title falls under the City Administrator and the Fire Inspector title falls under the DPS Chief. From a management standpoint, it is difficult and, at times, confusing for an employee to answer to two different supervisors, but administration understands this dynamic sometimes exists in small cities and we work with what we have. The second piece of this is it is difficult to find an employee who can do fire inspections and the other duties Gary handles. So, from a recruitment standpoint, it would be difficult to fill this position when Gary chooses to leave the City.

Recently, a circumstance took place where it was evident the two-supervisor dynamic was causing an issue and administration began more heavily looking for solutions. It should be noted that even outside of the permit overage solution that will pay for the fire inspection position, Gary often goes above and beyond to find solutions that he says are "good for the city". Gary never complains, he just does his absolute best to juggle all of these duties regardless of the amount of hours it takes.

The solution to pay for the additional part-time duties comes from Gary working with Clear Channel to have them pay permit fees that were never paid over the years, as required by the city's ordinances. This amounted to a total of \$12,000 that is now additional revenue not expected in city permit fees. A budget amendment can be achieved by taking from this \$12,000 and moving it to the part-time DPS budget.

The staff member who will take on these duties was hired in August 2020 as a part-time DPS employee. He happens to be skilled in fire inspections and did assist in catching up on said inspections which were backlogged because of COVID-19. Administration tried to limit employee exposure during that time, but also it allowed a reprieve for businesses who might be struggling financially. The existing part-time DPS employee is able and willing to take on the fire inspection duties. The amount included in your packet shown to fund his hours is the max amount needed

through the end of the current fiscal year. Administration understands the position will need to be funded in years to come and will find a way to fund it.

A motion was made by Council Member John King and seconded by Council Member Cathy Stein to move fire inspection duties to an existing part-time DPS employee, using an overage of a sign permit fee as the funding source.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, and Kohn

Nays: Member Motley

**e. Discussion and possible action to approve the purchase of one (1) Chevrolet Tahoe vehicle for the DWG Department of Public Safety in the amount of \$50,000.**

Background information on this item: This will be the first of two vehicles approved in this year's budget to be funded by CCPD. This unit will be unmarked and assigned according to our vehicle rotation plan. Although the quote provided is less than \$50,000. DPS is requesting to spend up to \$50,000 to cover any possible price changes because the quotes are from 2020.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to the purchase of one (1) Chevrolet Tahoe vehicle for the DWG Department of Public Safety in the amount of \$50,000

Motion carried by the following vote:

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

Nays: None

**f. Discussion and possible action to approve a quote from Ace Pipe Cleaning in the amount of \$5,590.00 for sanitary sewer pipe cleaning and CCTV to inspect cause of sagging streets on Elkins Drive and Gardenia Lane.**

Background information on this item: Staff has been discussing with City Council the need to investigate two sunken pavement areas which are located on Elkins Drive and Gardenia Drive. Ace Pipe Cleaning was recommended by the city engineer as a company that could assist with this investigation. As discussed at the January 21, 2021 meeting, the Enterprise Fund could be used to fund this expense.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to approve a quote from Ace Pipe Cleaning in the amount of \$5,590.00 for sanitary sewer pipe cleaning and CCTV to inspect cause of sagging streets on Elkins Drive and Gardenia Lane.

Motion carried by the following vote:

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

Nays: None

**g. Discussion and possible action to approve a quote for gate valve repair at the City water pump station in the amount of \$29,309.00.**

Background information on this item: Staff has been discussing with City Council the need to repair the gate valve on the city water pump station. Staff is having difficulty finding contractors to quote this job because of the possibility of having to freeze the pipes during repair. This is because the water cannot be turned off to replace it. The City's policy requires three quotes and staff will continue to have contractors come out. Gratex has said they will come out in a few weeks to quote this once their workload slows down. Staff would like to request City Council consider the current quote with the caveat that staff at least obtain one other quote. The sooner the valve is replaced the better as failure of the check valves could be catastrophic since the gate valve cannot be turned off.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to approve a quote for gate valve repair at the City water pump station in the amount of \$29,309.00.

Motion carried by the following vote:

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

Nays: None

**h. Discussion and possible action regarding Project #2020-01, the new City Hall building, to include, but not limited to any change order approval.**

This is a recurring item for the city hall project.

Staff is working on quotes for furniture. The current approximate amount for furniture is \$35,000 but that is just an estimate and is probably slightly high. Some cutting down will be done next weeks to get quotes finalized. The furniture quote includes desks for all offices to include the front desk area and “cubicle” area, matching book cases for offices, filing setup for cubicle spaces, chairs for all personnel and one guest chair for each except for the Mayor and Judge having a few more guest chairs in their offices. Council chairs for Chambers, audience chairs for Chambers, and chairs for the conference room. Staff is bringing over existing filing cabinets.

Items still needed are the dais (working on quotes), tvs for Council Chambers, security cameras, podium, desktop computer for Mayor, and two desktop computers for cubicles (an existing computer will be brought over making it three total for cubicles).

The preliminary quote for cameras is approximately \$15k but administration thinks that might be high and will be examining more closely in the weeks to come. Staff will be presenting a final furniture quote, camera quote, podium, and dais quote at the March meeting for approval. The podium is inexpensive but may need to be purchased from a vendor outside of the furniture quote. The podium will cost approximately \$500.

Also, if SCADA is to be moved over to the new facility from its existing location in the Courtroom Annex, it will be an additional cost.

No action was taken.

**i. Discussion and possible action regarding Project #2020-02, Twin Lakes, Twin Springs to include, but not limited to any change order approval.**

Background information on this item: This is a recurring item that will appear on all future agendas until this project is complete.

The project is now complete except for re-seeding of grass along the road. Tarrant County fixed the low spot Council Member Stein mentioned at the last meeting. The quote in your packet includes matching what was there previously for each resident. If grass was spotty in an area, putting sod near the road will at least help with erosion. If a resident had grass all the way up to the road, the sod will match that as well. The quote also includes repairing two rock areas near the road that were there prior to the construction. This repair will mean the resident’s yard is back as it was.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to approve a quote for sod from Prime Landscape in the amount of \$7,191.67.

Motion carried by the following vote:

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

Nays: None

**j. Discussion and possible action on the Comprehensive Plan, to include but not limited to governing body approval of changes and setting future meeting dates. Final adoption of the Plan will take place at a future public meeting following legal publication requirements and notifications.**

Background information on this item: The purpose of this item is to provide an avenue to move forward in the Comprehensive Plan approval process, if needed. This item may not be needed. The reason the agenda item is worded in such a way is so that citizens know Council does not intend to adopt the Plan at this meeting. Public notice is required prior to final adoption of the Plan by council.

No action taken.

**k. Discussion and possible action regarding amendments to the FY 2020-2021 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.

Item not needed.

**l. Discussion and possible action to continue a disaster declaration issued by Mayor Bianco for Winter Storm Uri.**

Background information this item: Winter Storm Uri occurred from February 13-17, 2021. During that time, Mayor Bianco issued a disaster declaration as a precautionary measure in case it was needed.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to extend the disaster declaration for ten days.

Motion carried by the following vote:

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

Nays: None

**9. TABLED ITEMS**

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

Item not addressed.

**10. FUTURE AGENDA ITEMS**

None.

**11. EXECUTIVE SESSION**

**a. Recess into Executive Session pursuant to Government Code, Section 551.071, consultation with attorney, and Government Code, Section 551.087, economic development negotiations, to wit: a proposed development at Gardens Town Center, Lot 6, at the southeast corner of Bowen Road and Pleasant Ridge, Dalworthington Gardens.**

City Council recessed into Executive Session at 8:05 p.m.

**b. Reconvene into Regular Session for discussion and possible action on a proposed development at Gardens Town Center, Lot 6, at the southeast corner of Bowen Road and Pleasant Ridge, Dalworthington Gardens**

City Council reconvened into Regular Session at 8:29 p.m.

No action taken.



## 12. ADJOURN

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to adjourn at 8:29 p.m.

Motion carried by the following vote:

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

Nays: None