

Dalworthington Gardens City Council
Meeting Minutes
May 16, 2019

1. Call to Order

Mayor Bianco called the meeting to order at 6:30 p.m. with the following present:

Members Present:

Mayor Laura Bianco
Guy Snodgrass, Alderman, Place 2
Cathy Stein, Alderman, Place 3
Mayor Pro Tem Ed Motley, Place 4
Joe Kohn, Alderman, Place 5

Members Absent:

Mark McGuire, Alderman, Place 1

Staff Present:

Sherry Roberts, City Administrator
Lola Hazel, City Secretary
Greg Petty Director of DPS
Kay Day, Finance Director

2. Invocation and Pledges of Allegiance

Mayor Bianco gave the invocation. Pledges were said.

3. Election Matters

a. Administer Oath of Office and issue Certificates of Election to newly elected officials.

Oaths were administered by Judge Suzanne Hudson to Cathy Stein, Alderman, Place 3; Ed Motley, Alderman, Place 4; and Joe Kohn, Alderman, Place 5.

b. Consider approval of a resolution to appoint a Mayor Pro Tem for a one-year term.

A motion was made by Council Member Joe Kohn and seconded by Council Member Guy Snodgrass to approve a resolution appointing Ed Motley as Mayor Pro Tem for a one-year term.

Motion carried by the following vote:

Ayes: Members Snodgrass, Stein, Motley, and Kohn

Nays: None

4. Items of Community Interest

- Day with the Law – May 18
- Concert in the Park – June 15 at 7:30 p.m.
- Ice Cream Social – July 20, 6:30 p.m. to 8:30 p.m.
- Movie in the Park – July 20 at 8:45 p.m.
- Concert in the Park – September 21 at 7:30 p.m.
- National Night Out – October 1
- Trunk or Treat – October 26, 5:30 p.m. to 7 p.m.
- Christmas in the Park/Santa Photos – December 8, 2-4 p.m.
- Santa Parade – December 23

5. Citizen Comments

There were no citizen comments.

6. Mayor and Council Comments

- **Mayor Laura Bianco:** Thanked Phil Szurek for the flags with which he decorated the entrance to Gardens Park; thanked Sasa's Place for hosting Coffee with Cops on May 3; thanked Citizens Public Safety Academy alumni Association (CPSAAA) for hosting the popcorn bar which preceded tonight's council meeting; and thanked Jennifer Burkhart for her hard work on Day with the Law held on May 4. Mayor Bianco also announced that May 5-8 was Municipal Clerks Week.
- **Guy Snodgrass:** none
- **Cathy Stein:** none
- **Mayor Pro Tem Ed Motley:** Thanked the CPSAAA for hosting the popcorn bar which preceded tonight's council meeting. Echoed comments of Council Member Kohn about National Police Week and also made supportive comments about public safety personnel.
- **Joe Kohn:** Informed the audience that May 12-18 is National Police Week and shared supportive comments about public safety personnel.

7. Departmental Reports

- a. **DPS Report**
- b. **Park Board Update**
- c. **Financial Reports**

Departmental Reports were presented.

8. Consent Agenda

- a. **Approval of March 26, 2019 minutes.**
- b. **Approval of April 18, 2019 minutes.**
- c. **Consider a resolution appointing Joe Kohn to the Crime Control and Prevention District.**
- d. **Consider approval of an agreement with Tarrant County for the collection of taxes for Tax Year 2019.**
- e. **Consider approval of ordinance ratifying council's decision to enact a fee for household hazardous waste.**
- f. **Consider approval of an agreement with Hazardous Household Waste Solutions for collection, hauling, recycling, or otherwise properly disposing of household hazardous waste.**
- g. **Consider approval of an appointment to fill a vacancy on the Zoning Board of Adjustments.**

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Cathy Stein to approve items a., b., c., d., and g. on the Consent Agenda but to pull off items e. and f. as they are not ready for approval at this meeting.

Motion carried by the following vote:

Ayes: Members Snodgrass, Stein, Motley, and Kohn

Nays: None

9. Regular Agenda

a. Discussion and possible action to approve the guaranteed maximum price (GMP) for construction of the new City Hall building.

Background information on this item: In order for the new City Hall building project to move forward, Council is required to consider and approve the guaranteed maximum price for the project.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Joe Kohn to table this item.

Motion carried by the following vote:

Ayes: Members Snodgrass, Stein, Motley, and Kohn

Nays: None

b. Discussion and possible action to approve an agreement with Crown Correctional Telephone, Inc. for a new coinless telephone system for the jail.

Background information on this item: JWA is the current jail phone vendor for DPS. JWA is supplying DPS with two phone lines for our 4-phone facility. The City is experiencing poor customer service with outdated equipment provided by JWA. The City currently receives no revenue from this vendor.

Crown Correctional Telephone Inc. will provide all new inmate phones at no cost to the City. Crown Correctional Telephone Inc. will make all replacements, updates, modifications, and connections that are reasonably necessary or desirable for the proper operations of the telephones and equipment. The City will receive 30% of all gross billable revenue on all completed calls, with no deductions and \$.50 per completed Mexico collect call. All calls will be internet-based utilizing our current internet connection.

A motion was made by Council Member Guy Snodgrass and seconded by Council Member Joe Kohn to approve an agreement with Crown Correctional Telephone, Inc. for a new coinless telephone system for the jail.

Motion carried by the following vote:

Ayes: Members Snodgrass, Stein, Motley, and Kohn

Nays: None

c. Discussion and possible action to approve an agreement with City Hall Essentials, LLC for training for the City's Planning and Zoning Commission; and to approve the cost of training in an amount not to exceed \$625.00.

Background information on this item: City Hall Essentials is owned and operated by Sheila Bojorquez who is the spouse of Alan Bojorquez, a well-known attorney in municipal government. Mr. Bojorquez authored the Texas Municipal Law and Procedure Manual which is used by municipalities as a top resource for all local government topics.

City Hall Essentials provides training and a network of consultants in various topics, one of those being zoning. Mr. Dave Gattis is a consultant with City Hall Essentials. Mr. Gattis is currently an adjunct professor at UTA with a background in planning and environmental science. Mr. Gattis is available to provide training to our Planning and Zoning Commission on basic planning and zoning matters as well as specific training on comprehensive planning. The total cost for training would be a maximum of \$625 which includes two hours for basic training, one hour for comprehensive planning, and two hours for prep time (rate of \$125/hour).

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Cathy Stein to approve an agreement with City Hall Essentials, LLC for training for the City's Planning and Zoning Commission; and to approve the cost of training in an amount not to exceed \$625.00, subject to edits approved by the city attorney's office.

Motion carried by the following vote:

Ayes: Members Stein, Motley, and Kohn

Nays: Member Snodgrass

d. Consider approval of an ordinance amending the City of Dalworthington Gardens Code of Ordinances, Chapter 14, Zoning, to permit brewpubs and wineries by special exception in the B-2 business district, B-3 business district, and the light industrial district; and to permit brewpubs and wineries by specific use permit in the mixed use overlay district.

i. Public hearing

ii. Discussion and possible action.

Background information on this item: A gentleman has approached the city wanting to do a brewpub in DWG. We have been in discussions with him for months as he's tried to find the perfect spot for his new business. He wants to be in DWG, not Arlington, so staff has worked with him to figure out appropriate regulations and avenue to get him here.

In looking at allowed uses in commercial districts, there is no current land use allowing a brewpub which is the primary use for this business. The sale of alcoholic beverages is allowed in certain cases but as a secondary or incidental use. Staff went before city council for direction to ensure council would entertain the idea of such a business in DWG. Council gave staff direction to begin the process to add "brewpub" as a special exception in B-2, B-3, and LI commercial zoning districts.

Staff went before the Planning and Zoning Commission (P&Z) in April and P&Z recommended approval to add brewpub as an allowed use by special exception in the B-2, B-3, and LI zoning districts; and also recommended adding winery as an allowed use by special exception in the B-2, B-3, and LI zoning districts.

The ordinance would do the following:

- Defines "brewpub"
- Defines "winery"
- Adds "brewpub" and "winery" as allowed uses by special exception to the B-2 business district, B-3 business district, and light industrial district.
- Removes "brewery" from the mixed use district and replaces it with "brewpub".

Whether or not the city can allow certain alcohol-related land uses derives from the Texas Alcoholic Beverage Commission (TABC) regulations and the local option elections (alcohol-related elections) that have successfully passed in DWG. The City's current local option elections would not allow for a brewery but will allow for a brewpub. This is the reason for completely removing brewery from the ordinance.

Mayor Bianco opened the public hearing at 7:25 p.m.

1. Tracy Dodson, 2705 Whisperwood Trail: spoke in favor of the ordinance.
2. Alyce Lafferty, 3508 Rainer Drive: spoke in favor of the ordinance.

With no one else desiring to speak, Mayor Bianco closed the public hearing at 7:27 p.m.

A motion was made by Council Member Guy Snodgrass and seconded by Mayor Pro Tem Ed Motley to approve the ordinance as presented with no changes, and was amended to allow any brewpub as licensed by the TABC.

Motion carried by the following vote:
Ayes: Members Snodgrass, Stein, Motley, and Kohn
Nays: None

e. Discussion and possible action on approving invoices totaling more than \$5,000 from Venus Construction for a water leak on Roosevelt Drive.

Background information on this item: On February 4, 2019, Venus Construction was called to repair a leak on the 8" main at 2911 Roosevelt. The leak was repaired and a new 1" tap made for the resident. A few days later, staff noticed water standing in the ditch even though there had not been any rain. Venus returned on March 7, 2019 to make repairs again. This repair was a two-day job and was made hot (with water flowing). This is an old 8" clay line that kept cracking after the first repair. There are three (3) invoices that total \$13,402.35.

A motion was made by Council Member Cathy Stein and seconded by Mayor Pro Tem Ed Motley to ratify the proposed expenses totaling \$13,402.35 from Venus Construction for a water leak on Roosevelt Drive.

Motion carried by the following vote:
Ayes: Members Snodgrass, Stein, Motley, and Kohn
Nays: None

f. Discussion and possible action on approving invoices totaling more than \$5,000 from Venus Construction for a water leak on Dustin Trail.

Background information on this: A water leak was reported at 3700 Dustin Trail. After investigation, it was determined that there was a leak between the main and the service line to 3705 Dustin Trail that is across the street. This repair turned out to be much harder than expected.

A motion was made by Council Member Cathy Stein and seconded by Council Member Joe Kohn to ratify the proposed expenses totaling \$7,930.56.

Motion carried by the following vote:
Ayes: Members Snodgrass, Stein, Motley, and Kohn
Nays: None

g. Discussion and possible direction to staff regarding the continued use of the cul-de-sac on Elkins as of brush dump and public works storage.

Background information on this item: The back area of the dam has been used to store road materials and brush from citizens. While this may not be the appropriate area to store these types of materials, our storm water management program does have a best management practice included that the City will maintain a location for the public to properly dispose of grass clippings and other biodegradable materials and to make the compost material available for citizen reuse.

A motion was made by Council Member Cathy Stein and seconded by Mayor Pro Tem Ed Motley to send this item to the Park Board for discussion and recommendation.

Motion carried by the following vote:
Ayes: Members Snodgrass, Stein, Motley, and Kohn
Nays: None

10. City Administrator Items

a. Project updates

City Administrator items presented.

11. Future Agenda Items

None.

12. Adjourn

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Joe Kohn to adjourn at 8:00 p.m.

Motion carried by the following vote:

Ayes: Members Snodgrass, Stein, Motley, and Kohn

Nays: None