

**Dalworthington Gardens City Council**  
**Meeting Minutes**  
**May 21, 2020**

*Meeting was held by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). There was no public access to the meeting location. The public was permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting.*

**1. CALL TO ORDER**

Mayor Bianco called the meeting to order at 7:01 p.m. with the following present:

**Members Present:**

Laura Bianco, Mayor  
Mark McGuire, Alderman, Place 1 (by phone)  
Cathy Stein, Alderman, Place 3 (by phone)  
Ed Motley, Mayor Pro Tem; Alderman, Place 4 (by phone)  
Joe Kohn, Alderman, Place 5 (by phone)  
John King, Incoming Alderman, Place 1  
Steve Lafferty, Incoming Alderman, Place 2

**Members Absent:**

Guy Snodgrass, Alderman, Place 2

**Staff Present:**

Lola Hazel, City Administrator  
Greg Petty, DPS Director (by phone)  
Kay Day, Finance Director

**2. ELECTION MATTERS**

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

Oaths were administered by Judge Suzanne Hudson to Laura Bianco, Mayor; John King, Alderman, Place 1; and Steve Lafferty, Alderman, Place 2. Members King and Lafferty took their seats at the dais, replacing members McGuire and Snodgrass.

**b. Consider approval Resolution No. 2020-14 to appoint a Mayor Pro Tem for a one-year term.**

Background information on this item: In accordance with Chapter 22, Texas Local Government Code, the City Council shall, at its first meeting following the general municipal election, elect one of its members as mayor pro tem.

A motion was made by Council Member John King and seconded by Council Member Joe Kohn to approve Resolution No. 2020-14 to appoint Ed Motley as Mayor Pro Tem for a one-year term.

Motion carried by the following vote:

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

Nays: None

**3. INVOCATION AND PLEDGES OF ALLEGIANCE**

Mayor Bianco gave the invocation and led the pledges of allegiance.

**4. ITEMS OF COMMUNITY INTEREST**

The following items were presented.

- **Free Fishing Day – June 6**
- **Ice Cream Social – July 18, 5:30 p.m. to 7:30 p.m.**
- **Concert in the Park – September 19 at 7:30 p.m.**
- **Day with the Law – September 26**
- **National Night Out – October 6**
- **Trunk or Treat – October 24, 5:30 p.m. to 8 p.m.**
- **Christmas in the Park/Santa Photos – December 6, 3-5 p.m.**
- **Santa Parade – December 23**

## 5. CITIZEN COMMENTS

Eric Strickland, 3201 Sieber Drive: spoke to his replat request that is listed on the agenda and the private drive on the east side of his property.

Mark McGuire, 2813 Katherine Court: Thanked everyone for allowing him to serve on council. Spoke to the knowledge he gained while serving on council.

## 6. MAYOR AND COUNCIL COMMENTS

**Mayor Bianco:** Thanked Shawn Wood with 3S Pressure Washing, for sanitizing our park and gazebo at no charge to the city. Thank you to the many volunteers who are cleaning up our flower beds and the monarch garden in Gardens Park. It is time well spent to keep our park looking beautiful as more residents are getting out to enjoy it this time of year. Thank you to Al Goerdel for donating a Prespa's gift card; Jeff Kemp for providing David's BBQ for staff; Mark Shelton with Cici's for providing pizza to staff several days; Arlington Montessori Academy for providing lunch and dinner to staff; Arlington Classics Academy for donating hand sanitizer and Clorox wipes; Tate Springs Christian School for donating hand sanitizer and Clorox wipes; Cathy Stein's brother for donating gloves; Spencer Williams for donating personal protective equipment and Clorox wipes; Domino's Pizza for providing pizza for staff; Gold Ribbon Confections for providing cinnamon rolls and pastries; Dennis Burke Ministries for providing Prespa's for lunch; Don Gieseke for providing donuts and cake balls; and Berry Fletcher for donating N95 masks and personal protective equipment. Thank you to those who contributed to our temporary food bank which was formerly the Little Library in front of City Hall. Thanked DWG fire fighters who responded to the fire at Farrell animal Clinic: Gary Harsley, Vickie Hess-Miller, Ryan Miller, James Adams, Scott Bedford, Austin Bass, Aaron Brown, Joey Flores, Tylor Lane, Dylan Hill, Scott Crosier, Mike Bass, Will Fike, Steve Yancey, and Dispatcher Kayla Alexander; and Josh Kiser with Pantego, and the Edgecliff Village Fire Department for assisting. Thanked Lola Hazel and Greg Petty for their laudable actions on handling our current situation as it has affected city operations.

**John King:** Thanked outgoing council member Guy Snodgrass for 34 years of service. Also, thanked outgoing council member Mark McGuire for his service. Spoke to the remaining council members and said he looks forward to the years ahead.

**Steve Lafferty:** Thanked outgoing council members Guy Snodgrass and Mark McGuire for their service. Spoke to looking forward to serving on council. Expressed amazement with the encouragement he's received. Thanked his wife for encouraging him to serve on council. Stated he's looking forward to it.

**Cathy Stein:** Thanked outgoing council members Guy Snodgrass and Mark McGuire for their service. Reported that with the help of volunteers, the entire Monarch Garden has been weeded.

**Ed Motley:** Welcomed new council members. Spoke to teamwork by all council members. Recognized outgoing council members Guy Snodgrass and Mark McGuire for their service on council. Thanked staff for guidance and hard work they have done to get us through current times.

**Joe Kohn:** Echoed Ed Motley's comments. Thanked outgoing council members Guy Snodgrass and Mark McGuire for their service. Welcomed incoming council members John King and Steve Lafferty to the council.

## 7. DEPARTMENTAL REPORTS

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

Departmental Reports were presented.

## 8. CONSENT AGENDA

- a. **April 16, 2020 Regular Meeting Minutes**
- b. **Consider Resolution No. 2020-11 appointing Steve Lafferty and John King to the Crime Control and Prevention District.**
- c. **Consider Resolution No. 2020-12 appointing Steve Lafferty and John King to the Park and Recreation Facilities Corporation.**
- d. **Consider Resolution No. 2020-13 regarding City of Dalworthington Gardens' participation in Tarrant County's Community Development Block Grant, Home Investment Partnership and Emergency Solutions Grant Consortium for the three program year period, fiscal year 2021 through fiscal year 2023.**
- e. **Ratification of presentation of the Quarterly Investment Report at the April 16, 2020 meeting to the governing body in accordance with Texas Government Code, Chapter 2256.**
- f. **Consider approval of Ordinance No. 2020-04 to approve budget amendments for FY 2019-2020.**
- g. **Consider approval of an interlocal agreement with Tarrant County regarding reimbursement for COVID-19 expenses.**

A motion was made by Council Member Joe Kohn and Mayor Pro Tem Ed Motley 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 from Eric Strickland for a final plat 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, commonly known as 3201 Sieber Drive.**

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

Mayor Bianco opened the public hearing at 7:58 p.m.

Background information on this item: Section 10.02.004 of the City's Code of Ordinances states, "No building permit shall [be] issue[d] for the construction of improvements on any property not platted..." Mr. Strickland is looking to divide his property to sell the eastern portion of the lot, and division of the lot requires a replat. The applicant has provided a site plan that shows existing structures and their dimensions, and also a final plat.

The city engineer provided comments on April 20, 2020 of which were forwarded to the surveyor for correction. Staff asked for clarification regarding connection and access as noted in the engineer's comments. The city engineer then provided clarifying statements in a letter dated April 23, 2020. As noted by the engineer, there are a number of issues that the applicant must still address including issues related to access to the property. The applicant has submitted documentation regarding access by way of an easement shown on the northeastern portion of the plat. However, the applicant has not provided documentation supporting the fact the property has access to said easement. Also, the applicant would be responsible for construction of said accessway in accordance with Section 10.02.234 of the City's Subdivision Ordinance which states, "All private accessways that provide the primary vehicular access to two or more residential lots to be developed as single-family residences shall have: a minimum pavement width of twenty (20) feet; a minimum pavement thickness of five inches (5") of reinforced Portland cement concrete or six inches (6") hot mix asphaltic concrete over a compacted base; and, a minimum wheel load of five thousand (5,000) pounds. (2005 Code, sec. 16.1.58)." In the absence of showing access and providing construction of same, along with the other corrections outlined by the engineer, this plat does not meet the city's ordinances.

The Planning and Zoning Commission recommended denial of this plat. A revised plat was received on Thursday, May 14 which was sent to the city engineer for review. Until the city engineer reviews the revisions, staff cannot provide a recommendation other than denial as was recommended at the April 27 P&Z meeting.

Local Government Code, Chapter 212, states that plats that satisfy all applicable regulations must be approved. The proposed plat does not satisfy the requirements of city ordinances for the reasons stated in the engineer's comments; therefore, staff recommends the denial of the proposed plat.

The applicant, Eric Strickland, spoke again in favor of his plat and spoke specifically to the accessway comments from the staff report noted above.

The following citizens made comments:

Nicole Block, 3106 Sunset Oaks: Spoke to her ownership of the private drive that was suggested as an accessway for the plat. Voiced opposition to the proposed plat.

With no one else desiring to speak, Mayor Bianco closed the public hearing at 8:03 p.m.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Steve Lafferty to deny the application from Eric Strickland for a final plat 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, commonly known as 3201 Sieber Drive.

Motion carried by the following vote:

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

Nays: None

- b. Consider approval of an application from Cynthia Fulton for a final plat of Lots 2B3 and 2B3A, Block 4, Dalworthington Gardens Addition, an addition to the City of Dalworthington Gardens, Tarrant County, Texas, recorded in instrument No. D208149895, deed records, Tarrant County, Texas, and commonly known as 2912 Texas Drive.**

- i. Public hearing**

- ii. Discussion and possible action**

Mayor Bianco opened the public hearing at 8:09 p.m.

Background information on this item: Section 10.02.004 of the City's Code of Ordinances states, "No building permit shall [be] issue[d] for the construction of improvements on any property not platted..." Ms. Fulton contacted the city about building on the lot south of 2912 Texas Drive, but could not provide documentation on whether the lot had been platted. The applicant has provided a site plan that shows existing structures and their dimensions, and also a final plat.

The city engineer provided comments on April 9, 2020. As noted by the engineer, there are a number of issues that the applicant must still address.

Local Government Code, Chapter 212, states that plats that satisfy all applicable regulations must be approved. The proposed plat does not satisfy the requirements of city ordinances for the reasons stated in the engineer's comments. However, with the exception of showing utility lines, the comments provided are clerical in nature. In these cases, it is appropriate to make a conditional approval of the plat.

The Planning and Zoning Commission recommended conditional approval of this plat. A revised plat was received on Thursday, May 14 which was sent to the city engineer for review. Until the city engineer reviews the revisions, staff cannot provide a recommendation other than denial since the condition for P&Z's motion was resolution of the engineer's comments by the May 21 council meeting date.

The applicant, Cynthia Fulton, spoke to her intentions of building a home on the southern lot, 2916 Texas Drive.

The following citizens made comments:

Eric Strickland, 3201 Sieber Drive: Spoke in favor of the plat as a new home would be a great addition to the city.

With no one else desiring to speak, Mayor Bianco closed the public hearing at 8:14 p.m.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Cathy Stein to conditionally approve an application from Cynthia Fulton for a final plat of Lots 2B3 and 2B3A, Block 4, Dalworthington Gardens Addition, an addition to the City of Dalworthington Gardens, Tarrant County, Texas, recorded in instrument No. D208149895, deed records, Tarrant County, Texas, and commonly known as 2912 Texas Drive; subject to resolution of the outstanding issues to the satisfaction of the city engineer.

Motion carried by the following vote:

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

Nays: None

- c. Discussion and possible action to approve a scope of work from Topographic in the amount of \$15,700 for the Twin Springs and Twin Lakes Project to provide an erosion control plan and storm water pollution prevention plan (SWPPP); and survey and design services related to any necessary relocation of obstructions and adjustments for manholes and valve boxes.**

Background information on this item: Since the February 20 meeting, staff has been working with engineering and Tarrant County on other needs for this project. Staff presented the cost for the required stormwater pollution prevention plan (SWPPP) at the April meeting, and now has the costs for design and survey services for the project. Design and survey services are necessary to determine whether there are obstructions that will need to be moved before the project begins. Once survey and design work are complete, the city engineer will assist staff with acquiring quotes for necessary tasks which can then be brought back to council for approval.

Tarrant County recently started back and picked up where they left off. It will be some time before they can begin our jobs, but the information received was that they most likely won't be completing this job and the Indian Trail job simultaneously. There may be an opportunity to begin the Indian Trail job before this one since it is a smaller job.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Joe Kohn to approve a scope of work from Topographic in the amount of \$15,700 for the Twin Springs and Twin Lakes Project to provide an erosion control plan and storm water pollution prevention plan (SWPPP); and survey and design services related to any necessary relocation of obstructions and adjustments for manholes and valve boxes.

Motion carried by the following vote:

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

Nays: None

**d. Discussion and possible action regarding changing the scope of work for Indian Trail.**

Council Member Stein requested this item on the agenda. Below is her report on the item.

It is very important that we make thoughtful decisions for road repair/replacement based on current facts on the ground, availability of resources and funds availability. I requested we look at the scope of the project again because I am concerned that we made our decision based largely on old data. It is also important to carefully weigh the pros and cons of a temporary patch vs a capital project while also making sure any conditions such as storm water runoff that contributed to current degradation or failure of roads is mitigated.

As I mulled over the disconnect between my observations on the ground the day of the April council meeting and the comments of others in the meeting of the conditions of Indian Trail, I was concerned that these differences were due to old observations and that we should revisit the scope of the Indian Trail project to bring the facts on the ground in line with funds and resources.

I noted while walking the entire street on May 11 that street damage is much more noticeable when walking beside the road than when driving along it. The current patch is holding much better than it was a year ago. Is it possible that continued patching, until we can fix all or a much larger portion of the street, is the best strategy to allow for us to rebuild a larger portion of the road? There is also significant cracking along Sunset that would benefit from crack sealing to extend the life of that road. (I have not surveyed other roads for crack seal needs. I suspect current conditions are different than when someone determined we were all caught up with crack sealing needs.) We also have to consider upcoming participation in a CDBG block grant road project to complete the concrete paving of Ambassador Row. We already have a road project scheduled with Tarrant County and I do not see Indian Trail being able to be completed in addition to Twin Springs/Twin Lakes in this budget year. I am not inclined to put Indian Trail repair ahead of Twin Springs/Twin Lakes based on our recent discussions of road repair priorities. Therefore, we need to ask, is it a better plan to leave the budgeting of major road repairs except for the mitigation of water flow issues on Indian Trail, that exacerbate degradation of the road, until the budget process?

If council agrees that Indian Trail will not happen until the next budget year, it is likely better to determine scope at a later date too. This PowerPoint, [https://michiganltap.org/sites/ltap/files/workshops/materials/asphalt\\_patching.pdf](https://michiganltap.org/sites/ltap/files/workshops/materials/asphalt_patching.pdf), has a good graph near the beginning that shows that once a road reaches the state that Indian Trail is in, it will degrade much more quickly than over a similar period when it was in good or very good shape. While this PowerPoint has much more information than is applicable to our little city, it does have some relevant information on types of failure and suggested repairs vs replacement, as does this manual chapter <https://www.wsdot.wa.gov/publications/manuals/fulltext/M51-01/Chapter3.pdf>.

Whether we decide to leave or adjust the scope tonight or defer until we have a better idea of how all of the potential road project needs (Indian Trail, CDBG grant for Ambassador Row, crack sealing to extend the life of other streets) will fit together in the next budget cycle, I thought it would be beneficial to document the failures I saw on Indian Trail on May 11, 2020.

Background thoughts as a basis for discussion:

\* If Indian Trail were to be reworked along the City's entire length, that length is on the order of 10 times the current scope we considered last month so expanding the scope to the entire road is likely not practical given budget constraints, even in the upcoming budget year if we plan to accomplish anything else road related after completing Twin Springs/Twin Lakes.

\* Every time a section of Indian Trail is repaired (including subgrade like the current proposal) it will be a major headache since it is a connector road for so many people. Therefore limiting the number of sections it takes to repair the entire street makes sense. Also limiting the number of sections will limit the number of transitions encountered while driving the eventually entirely repaved road.

\* A longer section of repair and thus a more continuous reworking of the subgrade is beneficial for consistency and continuity of the subgrade, especially where sinking of the road surface is occurring.

\* Lots have been steadily built on immediately off Indian Trail. The heavy traffic associated with this is likely part of the road degradation we are seeing, so a slight delay in repairing those issues could be beneficial in the long term with regards to the life of the new road.

\* Improper storm water and sprinkler runoff drainage appears to be contributing to the problem pothole and possibly some of the other adjacent failures. Water flowing north on the east portion of Santa Fe is not properly directed into the bar ditch and reaches Indian Trail and eventually the pot hole. Water also flows down both driveways of the house facing Indian Trail and puddles along the south side of the road and runs towards the pot hole instead of flowing into the bar ditch. A correction of the water flow from the east portion of Santa Fe is a separate agenda item tonight but was something I wanted to discuss as part of expanding the scope as part of this agenda item until I learned it would be its own agenda item. The water coming down the driveways is a possible addition to the scope of the Indian Trail project.

\* See attached illustrations.

May 11 observations:

- Types of failures seen: Alligator cracking, longitudinal cracking, transverse cracking, potholes, ruts and sags.
- One or more of these failures are seen on almost every linear unit of roadway. Only three short sections only contained longitudinal and transverse cracking that would benefit from crack sealing.
- The section of road from Sieber to the proposed repair has alligator cracking and sags, plus a short section of cracks that could be crack sealed. Could this section wait to be repaired when Sieber between Sunset and Indian Trail is reworked?
- Indian Trail near the west side of lot 1R, Tyler Addition going west until just before Garden Lane is at least as bad if not worse than the proposed section to be repaired. It has vegetation growing in many of the deep alligator cracks. There is considerable rutting in this section before Garden Lane as well.

Additional notes:

- If you go to Google maps and use street view to “drive down” Indian Trail, it will give you a pretty good idea of the road condition. It has deteriorated more in some areas since the videos were taken. Elevation changes due to sags and rutting are not as noticeable in Google street view as when walking or actually driving down the road.
- Please see the spreadsheet for current funds, expected expenditures for this budget year and pricing on the asphalt patch that we use.

A motion was made by Council Member Cathy Stein and seconded by Mayor Pro Tem Ed Motley to increase the scope of work for Indian Trail to push the west line further west to approximately the western boundary of Dr. Khan’s property, 3502 Indian Trail, to include the alligator cracking in that immediate area.

Motion carried by the following vote:

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

Nays: None

**e. Discussion and possible action to approve a quote from Prime Landscape in the amount of \$1,200 to cut, regrade, and pour a concrete flume to redirect the water at Indian Trail where it intersects Santa Fe.**

Background information on this item: Staff presented this item at the February 20, 2020 meeting. Council approved moving forward with this project and having Tarrant County perform the work. Staff provided photos at the April meeting and quote from Tarrant County in the amount of \$14,815.68. Tarrant County has provided a quote to repair 200 ft. The area may end up being less, but they tried to estimate for the maximum repair

needed. The reason the area is so large is the alligator cracking. It has cracked over time requiring a large area for repair if the repair is to last. Otherwise, it will just need to be redone again in a shorter amount of time. In addition to the areas shown in the attached pictures, there is an area marked with a blue circle at the corner of Santa Fe Circle and Indian Trail. That area has been cut down in the past so that water will drain into the ditch instead of down the street. The City will need to make repairs to that area again for it to drain properly. Staff requested a quote from Prime Landscape to cut the concrete and re-pour the flume to direct the water into the ditch. Staff is asking for approval of the quote from Prime Landscape in order to prepare for this phase of the project.

A motion was made by Council Member John King and seconded by Mayor Pro Tem Ed Motley to continue this item.

Motion carried by the following vote:

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

Nays: None

**f. Discussion and possible action to approve an Interlocal Agreement with Tarrant County for reconstruction of Indian Trail.**

Background information on this item: Staff presented this item at the February 20, 2020 meeting. Council approved moving forward with this project and having Tarrant County perform the work. Staff provided a quote from Tarrant County in the amount of \$14,815.68 of which Council approved at the April meeting. The purpose of this item is to approve the interlocal agreement that coincides with Council's approval of the quote at the April meeting.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Cathy Stein to continue this item.

Motion carried by the following vote:

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

Nays: None

**g. Discussion regarding budget process planning for the upcoming FY 2020-2021 Budget, to include but not limited to:**

- i. Presentation of the budget calendar**
- ii. Presentation of Strategic Plan**
- iii. Creation of a Capital Improvement Plan**

Background information on this item: The Strategic Plan and Capital Improvement Plan were presented to Council in December 2019. Staff was asked to bring these items back in May when the new council members were officially sworn in. These two items will be presented to council annually to assist with budget planning.

With new council members being sworn in at the May meeting, staff is presenting items to begin budget planning for FY 2020-2021. We will continue to present these items at the May meeting each year to plan in advance for the budget season. This year as staff moves through each phase, we will be creating a guideline that will be presented for adoption in the City's Comprehensive Financial Policy.

**Background Information for Budget Calendar:** This budget calendar is presented each year to plan for the budget season. The city's finance director did an outstanding job of putting together the calendar while incorporating the new laws created by Senate Bill 2. Since we have new council members, I am including a synopsis of the changes created by Senate Bill 2. Existing council members may notice the bill changed the terminology to which we are accustomed, and changed the process quite a bit. In the budget calendar, we've included dates for all budget work sessions as well as various legal deadlines. Please review the dates for budget work sessions so we can discuss at the council meeting any need for changes.



**Background Information for Capital Improvement Plan:** Mr. Perkins, an engineering consultant for the city, was initially consulted regarding crack sealing needs for city streets in 2019. When it was determined there wasn't much crack sealing needed, Mr. Perkins surveyed city streets for reconstruction and repair needs. Council asked staff to determine how much funding was available for street repair, and then have Mr. Perkins create a priority list for street reconstruction needs. Mr. Perkins provided a report, and to date, Council has planned to repair Twin Springs, Twin Lakes, and now Indian Trail. The remaining streets on the list could be used to plan for the 2020-2021 Budget along with the Ambassador Row Community Development Block Grant (CDBG) project and any crack sealing needs. Staff has also received feedback from citizens regarding Roosevelt Drive and drainage issues on Corzine Drive, in the event council wants to consider those two requests.

The second attachment is a true Capital Improvement Plan (CIP) that was accomplished in 2016 by Westra, the city's former engineering firm. The list just includes street conditions, but this is a list that should be updated annually for budgeting purposes. A true CIP would include all capital assets, but typically other capital assets are discussed during budget session by specific departments. The City's Comprehensive Financial Policy actually requires a CIP to be produced for budgeting purposes.

**Background Information for Strategic Plan:** Council compiled a Strategic Plan in 2016. Staff cannot find where the Plan was officially adopted by Resolution; thus, staff recommends Council review and adopt the plan. In addition, staff will be presenting this each year for Council to reevaluate goals prior to the next budget preparation which typically begins in June of each year. This plan doesn't appear to set official timelines for each goal which is strongly recommended. Staff recommends Council at least address goals for the next budget year and consider a work session later to officially make changes and adopt the plan.

No action was taken on this item.

**h. Discuss and possible action regarding amendments to the FY 2020 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.

This item was not needed.

**i. Discussion and possible action regarding Council's approval to sell old water meters to citizens of Dalworthington Gardens.**

Background information on this item: This item was added based on a discussion and request from Mayor Pro Tem Motley.

Mr. Motley approached staff about purchasing one or more of the old meters following staff's installation of the new remote meters in June. Staff consulted the city attorney on this matter. While there are statutory requirements for selling real property (require bidding process), there are no requirements for selling personal property. Outside of a city policy, there is no legal process to follow. What is important, however, is that the sale or receipt of an item not have the appearance of being a gift. For transparency purposes, the item was added to the agenda for council input. Outside of selling the meters to interested citizens and other parties, staff normally takes the old meters to a scrap yard and then deposits the proceeds into the general fund. If council chooses to allow the sale of the meters, staff will determine the appropriate price based on market value and use that price for selling them. A quick look online shows the price for brass to be \$1.76/pound.

A motion was made by Council Member Cathy Stein and seconded by Council Member Joe Kohn to approve making old water meters available for sale to citizens at \$2.00 per pound and have staff determine a set price.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, and Kohn

Nays: None

Abstained: Member Motley

**j. Discussion and possible action regarding Council's approval to sell plants located on the tract where the new City Hall will be built.**

Background information on this item: This item was added based on a discussion and request from Council Member Stein.

Mrs. Stein approached staff about purchasing one or more plants that are located on the tract where the new City Hall will be built. These are plants that most likely will be destroyed when preparing for the new City Hall building to be built. While there are statutory requirements for selling real property (require bidding process), there are no requirements for selling personal property. Outside of a city policy, there is no legal process to follow. What is important, however, is that the sale or receipt of an item not have the appearance of being a gift. For transparency purposes, the item was added to the agenda for council input. Outside of selling the plants to interested citizens and other parties, the plants most likely would be destroyed. Outside of destruction, the plants could be moved elsewhere, but the Park Board may need to be involved in this process or a professional consulted. If council chooses to allow the sale of the plants, a price would need to be determined for the sale. An option would be to see what plants of similar type and size are sold for.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Joe Kohn to allow citizens to remove plants from the designated future City Hall site as long as they provide all labor to do so.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, and Kohn

Nays: None

Abstained: Member Stein

**k. Discussion and possible action regarding the new City Hall building, including but not limited to: processes related to Infrastructure Committee involvement in design change decisions; dissolution of committee, if appropriate; any needed change order approval as well as general discussion regarding the processes moving forward with the construction of the new City Hall building.**

Background information on this item: At the April 16, 2020 meeting, Council approved RJM Contractors as the contractor to build the new City Hall. In addition, council discussed using the difference between the bid price and the total of 1.4 million as a contingency for small project needs. The contingency was not included in the motion, but staff included it in the minutes for completeness. If council disagrees with the inclusion, the minutes can be brought back in June with changes.

The City Hall project is set to kick off on June 1, 2020. Contract negotiations are complete and signatures are being obtained. The city administrator was named in the contract as the city's representative. In advance of the June 1 date, staff has been asked to review plans and provide comments. During that review, staff discovered items that are a safety concern and/or affect functionality of the building. Comments have been provided to OWT, the project's architect, for input and solutions. If any change orders come from those comments, staff would like to present those at the meeting for discussion and consideration. In going through the plan review process, concerns arose regarding roles and expectations. Staff would like to discuss roles and expectations with council prior to the kick off so that expectations are met and exceeded. It should be noted that staff understands a lot of time and effort went into the design of the building, and there is no intention to discount those efforts. Current staff members were not included in the design process outside of certain questions being asked of the building official. Now that we are being asked to review plans in their entirety, we have a responsibility for the safety of staff and those who enter our building and we also want to make sure the functionality in certain areas doesn't lead to safety concerns.

An Infrastructure Committee was formed in 2016 in preparation for the design build process and possibly other factors unknown to current staff members. What is unknown to current staff members is whether the Infrastructure Committee (known as the building committee) should be involved with each change proposed to the new building until the project is complete. City ordinances require a duration for each committee to be

included in the resolution creating the committee but none is noted in the 2016 resolution. Again, staff is just seeking expectation for this involvement.

In regards to the contingency, staff would like guidance on whether council would like funds used at the design phase or whether it was intended for changes at the request of the contractor during the project.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Joe Kohn to dissolve the infrastructure committee.

Motion carried by the following vote:

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

Nays: None

## **10. FUTURE AGENDA ITEMS**

In compliance with the Texas Open Meetings Act, Council Members may request that matters of public concern be placed on a future agenda. Council Members may not discuss non-agenda items among themselves. In compliance with the Texas Open Meetings Act, city staff members may respond to questions from Council members only with statements of factual information or existing city policy.

None.

## **11. ADJOURN**

A motion was made by Council Member Cathy Stein and seconded by Council Member Joe Kohn to adjourn at 9:45 p.m.

Motion carried by the following vote:

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

Nays: None