

MINUTES OF THE REGULAR MEETING OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, CITY COUNCIL HELD ON NOVEMBER 19, 2020 AT 6:30 P.M. IN THE COUNCIL CHAMBERS, 2600 ROOSEVELT DRIVE, DALWORTHINGTON GARDENS, TEXAS.

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 – 6:30 P.M.

1. CALL TO ORDER

Mayor Bianco called the meeting to order at 6:31 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. DISCUSSION ON THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT.

Discussed in work session.

3. DISCUSSION OF OTHER AGENDA ITEMS, IF TIME PERMITS

No others were discussed.

REGULAR SESSION – 7:00 P.M.

1. CALL TO ORDER

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

2. INVOCATION AND PLEDGES OF ALLEGIANCE

Mayor Bianco gave the invocation. Pledges were said.

3. PRESENTATIONS AND PROCLAMATIONS

a. A proclamation recognizing January 24-30, 2021 as School Choice Week in Dalworthington Gardens.

Mayor read aloud a proclamation recognizing January 24-30, 2021 as School Choice Week in Dalworthington Gardens.

4. ITEMS OF COMMUNITY INTEREST

- Christmas in the Park/Santa Photos – December 6, 3-5 p.m. (*tentative*)
- Santa Parade – December 23

5. CITIZEN COMMENTS

Citizens who wish to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City staff and City Council Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy.

6. MAYOR AND COUNCIL COMMENTS

- **Mayor Bianco:** Expressed thankfulness for all attendees, staff, and council members. Recognized Mark Shelton, Cici's Pizza, for providing pizza to the Everman Policy Department in their time of need. Thanked anonymous friend for providing lunch for city staff and DPS this week.
- **John King:** Praying for speedy recovery for those affected by COVID-19.
- **Steve Lafferty:** None.
- **Cathy Stein:** None.
- **Ed Motley:** Happy Thanksgiving to everyone.
- **Joe Kohn:** Echoed comments from Mr. Motley and Mr. King.

7. DEPARTMENTAL REPORTS

- DPS Report**
- Financial Reports**
- City Administrator Report**

Departmental Reports were presented.

8. CONSENT AGENDA

- Approval of Ordinance No. 2020-14 approving budget amendments for the 2020-2021 FY Budget.**
- Approval of Resolution No. 2020-26 approving a condolence and congratulations policy.**
- Approval of Resolution No. 2020-27 approving an information security policy.**

A motion was made by Council Member Cathy Stein and seconded by Mayor Pro Tem Ed Motley to approve items 8a. and 8c. on the Consent Agenda, but pull off item 8b. for individual discussion.

Motion carried by the following vote:

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

Nays: None

9. REGULAR AGENDA

- Discussion and possible action to approve a project for the 2021 Tarrant County Community Development Block Grant (CDBG).**

Background information on this item: The purpose of this item is to present the proposed CDBG project for discussion with the city engineer in advance of submitting application to Tarrant County. The city typically receives the application in November with a due date of January in the following year (2021 for this fund year).

The CDBG project, depending on the proposal, is always broken out among the street fund, water fund, and general fund. Based on past projects, staff believes we can anticipate Tarrant County to cover 70% of proposed costs, although that is not confirmed until Tarrant County has officially approved the city's application. The range for the City's award would be in the range of \$160,000- \$180,000.

The city's proposal includes removing existing asphalt paving, concrete sidewalk, concrete curb and gutter and abandoning a 6" water line. The improvements will be 6" reinforced concrete pavement, 4" exposed aggregate sidewalk and median cap, 6" PVC water line with new services and a fire hydrant, and adding six (6) 2" automatic flush valves at the ends of Seville Ct. (north end only), Chase Ct. (one at each end), Roman Ct. (one at each end), and Madrid Ct. (north end only). In the sketch in your packet, staff has marked which lines are old asbestos concrete (AC) lines and which lines are new PVC material.

A motion was made by Council Member Cathy Stein and seconded by Mayor Pro Tem Ed Motley approve the following for the 2021 Tarrant County Community Development Block Grant (CDBG): limit project to north half of the median concrete as shown on the map, replacing water lines and including flush valves, but removing the 4" exposed aggregate concrete in median (\$22,960 savings), and direct staff to look into the heaved sidewalk issue just north of the eastern edge of the water line replacement.

Motion carried by the following vote:

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

Nays: None

b. Discussion and possible action to approve submittal of a grant application for Tarrant County Community Development Block Grant CARE'S ACT (CDBG-CV) funding to prevent, prepare, and respond to COVID-19. This funding is separate from the biennial CDBG grant funding offered by Tarrant County.

Background information on this item: U.S. Department of Housing and Urban Development (HUD) has allocated additional COVID-19 funds to Tarrant County and Tarrant County is opening up an opportunity for cities to submit projects that respond to COVID-19. Attached is the application with parameters and requirements to submit an application for specific COVID-19 related projects. CDBG-CV funds will be treated like regular CDBG funds where Tarrant County will manage and complete the project AND any balance of a project will need to be paid by the city to make a complete project. No direct funds will be given to the cities. The funds must reasonably prevent, prepare for, or respond to COVID-19.

On page 2, you can see a list of suggested projects and administration honed in on the option for infrastructure improvements for new pathways to accommodate healthy outdoor exercise while responding to physical distancing. Because the example mentions parks, staff inquired as to whether pathways could be enlarged or added in Gardens Park. However, CDBG funding must be provided to a specific demographic of low-moderate income areas. For this reason, the Ambassador Row area is being used for this project. Staff found out HUD will not allow enlargement of existing sidewalks, so staff is presenting continuing existing sidewalks in that area.

Staff received the application on October 20 and it is due on November 30 which does not provide a lot of time to put together a proposal. Council Member Stein was generous enough to donate time and efforts to assist in the measurements for needed pathways. Staff will be preparing the application in advance of Council's decision in order to meet the deadline, but would not submit without Council approval.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Cathy Stein to approve submittal of a grant application for Tarrant County Community Development Block Grant CARE'S ACT (CDBG-CV) funding to prevent, prepare, and respond to COVID-19.

Motion carried by the following vote:

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

Nays: None

- c. Consider Ordinance No. 2020-13 to amend the City of Dalworthington Gardens Code of Ordinances, Chapter 6, Health and Sanitation, creating a new Article 6.06 Tobacco Products, Smoking, and E-Cigarettes, to prohibit smoking in many public places.**

Background information on this item: Council directed the city attorney to draft an ordinance to prohibit smoking in certain public places. The ordinance adds a new section to Chapter 6, Health and Sanitation.

Since the October meeting, staff has met with Council Member Steve Lafferty to gain feedback on desired changes. The below is a synopsis of changes which includes Mr. Lafferty's changes as well as staff changes. The changes are highlighted in the proposed ordinance.

- Definition for Health Service Provider was amended to replace the word "and" with "or" when describing the types of applicable facilities
- In 6.06.04(b)(1) and (b)(2), deleted "where feasible" from the separation and ventilation requirements.
- In 6.06.04(e), language was added to address Mr. Lafferty's concern about nonconforming businesses designating a nonsmoking section without ordinance compliance.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Steve Lafferty to approve Ordinance No. 2020-13 to amend the City of Dalworthington Gardens Code of Ordinances, Chapter 6, Health and Sanitation, creating a new Article 6.06 Tobacco Products, Smoking, and E-Cigarettes, to prohibit smoking in many public places.

Motion carried by the following vote:

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

Nays: None

- d. Discussion and possible action to approve an Interlocal Agreement with Tarrant County for game room regulations.**

Background information on this item: Council gave direction to research the city's ability to regulate game rooms in the city limits. As instructed at the October 15, 2020 meeting, staff obtained an interlocal agreement from Tarrant County for game room permitting and enforcement in the city limits.

A motion was made by Council Member John King and seconded by Council Member Joe Kohn approve an Interlocal Agreement with Tarrant County for game room regulations.

Motion carried by the following vote:

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

Nays: None

- e. Discussion and possible action to consider increasing hours for the part time parks maintenance employee to add janitorial services with funds already budgeted for weekly cleaning services.**

Background information on this item: The city has gone through three third party cleaning services in two years. When soliciting bids for a new company became difficult, administration considered what it would cost to bring that service in-house. Thanks to City Council's approval during the budget process, the city now

employs a part-time parks maintenance worker who is proving to be a great fit for the DWG staffing team. Currently, his entire part time salary is paid out of the Parks and Recreation Facilities Development Corporation (PRFDC) budget because his primary job is parks. However, the additional hours to clean city infrastructure would come from the general fund budget.

The cost currently budgeted for third party cleaning services is \$800.00 monthly. The calculation you will see proposes nine hours per week for in-house cleaning which comes in less than the city pays to a third party. The reason nine hours is proposed is that an employee must remain under 30 hours per week to maintain part time employment status. At 30 hours, the city would be required to offer medical benefits. The nine hour calculation shows City Council the maximum cost for this proposal. Additionally, you will see TMRS included in the calculation. This is because once an employee works more than 999 hours per calendar year, the city is required to pay TMRS retirement benefits.

In addition to coming in under budget with this proposal, bringing cleaning in-house means we have a member of our own team who is more invested in the cleanliness of city buildings. Lastly, with as often as city staff is cleaning and sanitizing buildings as a result of COVID-19, having a single employee provide daily cleaning frees up time and attention others are devoting to those tasks. This would mean the building is cleaned daily and more efficiently.

A motion was made by Council Member Joe Kohn and seconded by Council Member John King to approve increasing hours for the part time parks maintenance employee to add janitorial services with funds already budgeted for weekly cleaning services.

Motion carried by the following vote:

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

Nays: None

f. Discussion and possible action to consider decreasing fees charged to non-profit groups, such as scout groups, for park facility rentals.

Background information on this item: This year, there has been an increase in requests for park facility use from boy scout groups. In at least two of the group requests, the reason cited is other parks and facilities shutting down because of COVID-19. So, DWG facilities are a last resort for these groups. The costs quoted for these groups to use the park appeared high, so administration reached out to other cities to see how they handle these groups for park registrations. A few cities reached out and said they charge half price for “non-profit” groups, but that could also include certain youth sports teams depending on how these groups are defined.

Staff is requesting council’s consideration of decreasing fees charged to scout groups, or non-profit groups completely, if the council desires. A sheet showing revenue for the last three years is being provided for reference.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Cathy Stein to deny the request to decrease fees charged to non-profit groups, such as scout groups, for park facility rentals.

Motion carried by the following vote:

Ayes: Members Lafferty, Stein, Motley, and Kohn

Nays: Member King

g. Discussion and possible action to approve a quote for maintenance on the cla-val device at the Arkansas pump station from sole source vendor, Cla-Val Company, in the amount of \$9,500.

Background information on this item: Council approved funding in the budget for maintenance on the cla-val device at the Arkansas pump station. Cla-Val Company is a sole source vendor which is why they are the

only quote you see for this item in the packet. The amount approved is \$7,029, but it is possible the following items could be needed if replacements are needed from wear and tear. This is why \$9,500 is being requested.

- Seat \$1183.00
- Diaphragm Washer \$343.00
- Disc Retainer \$829.00

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Joe Kohn to approve a quote for maintenance on the cla-val device at the Arkansas pump station from sole source vendor, Cla-Val Company, in the amount of \$9,500.

Motion carried by the following vote:

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

Nays: None

h. 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.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Joe Kohn to set a date at the December council meeting.

Motion carried by the following vote:

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

Nays: None

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

Background information on this item: Staff expected a quote to have the contractor run wiring for the new building but did not yet have the quote at the time of this report. Staff is presenting the cost spreadsheet for this project.

A motion was made by Council Member Cathy Stein and seconded by Mayor Pro Tem Ed Motley to approve a change order for door hardware, electronic locks, and data drops to include the following:

- Data drops at a quote of \$13,821 plus \$2,500 for additions proposed by our IT
- Wiring for all proposed electronic access points, but making these changes to the installed access point locations:
 - Change front door to orange for proposed future location
 - Change 102A going in to chambers to orange for proposed future location
 - Room 117, storage, switch the red lock to the north door on that room that is orange, but it needs to be electronic locked going into the staff hallway.
- For hardware – Do not install special hardware if a door is not getting an electronic lock.

Motion carried by the following vote:

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

Nays: None

j. 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.

A manhole was discovered while Tarrant County was digging at the project site, and because it was not noted on plans, dirt was dumped into the manhole. It was severe enough to require a third party environmental company to dig out the dirt. Staff is requesting \$5,000 to cover costs for CG Environmental to excavate the manhole.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to approve an amount of \$5,000 to use CG Environmental to excavate the manhole on Twin Lakes/Twin Springs.

Motion carried by the following vote:

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

Nays: None

k. Discussion and possible action regarding Project #2020-03, Indian Trail Project, 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.

As there was nothing to report or discuss, this item was not needed.

l. Discuss 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.

As there was nothing to report or discuss, this item was not needed.

m. Approval of Resolution No. 2020-26 approving a condolence and congratulations policy.

This item was previously 8b. on the Consent Agenda but was pulled off for individual discussion.

A motion was made by Council Member Cathy Stein and seconded by Mayor Pro Tem Ed Motley to approve Resolution No. 2020-26 approving a condolence and congratulations policy with the following changes:

- Add “or card” in two places under Expressions of Congratulations
- Add maximum card value of \$10.00

Motion carried by the following vote:

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

Nays: None

10. TABLED ITEMS

a. Discussion and possible action on an analysis from Freese & Nichols for Elkins Lake Dam.

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

Motion carried by the following vote:

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

Nays: None

No action was taken.

11. FUTURE AGENDA ITEMS

None.

12. ADJOURN

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to adjourn the meeting at 8:25 p.m.

Motion carried by the following vote:

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

Nays: None