

**CITY OF SAGINAW
MINUTES OF CITY COUNCIL MEETING
AND PUBLIC HEARING
HELD AT THE SAGINAW CITY HALL
333 WEST MCLEROY BLVD.
FEBRUARY 19, 2021**

Present at the meeting:

Mayor	Todd Flippo
Mayor Pro-Tem	Valerie Junkersfeld
Councilmember	Patrick Farr
Councilmember	Charles Tucker
Councilmember	Cindy Bighorse
Councilmember	Mary Copeland
City Manager	Gabe Reaume
Asst. City Manager	Dolph Johnson
City Secretary	Janice England
Police Chief	Lee Howell
Director of Public Works	Rick Trice, P.E.
Director of Comm. & Eco Dev.	Keith Rinehart
Chief Building Official	Larry Little

Absent from the meeting:

City Attorney	Bryn Meredith
Councilmember	Charles Beasley
City Engineer	Andrew Simonsen
Finance Director	Kim Quin
Fire Chief	Doug Spears
Director of Human Resources	Melanie McManus
Library Director	Ellen Ritchie

Visitors at the meeting:

Brack St. Clair	Trey Harper
Vy Le	

(1) Call to Order

Mayor Flippo called the meeting to order at 2:00 p.m. with a quorum present.

Pledge of Allegiance to the United States

Pledge of Allegiance to the State of Texas

(2) Invocation

In the absence of Pastor Mills, Councilmember Farr gave the invocation.

(3) Audience Participation

This item was covered on the video screen.

(4) Consent Agenda

a. Action regarding Minutes, February 2, 2021

b. Action regarding Purchase of 3.903 Acres from Mearl McBee

Summary: Mearl McBee, the owner of a 3.903 acre tract of land in the southwest corner of Willow Creek Park, has expressed interest in selling the tract to the City. Staff initiated an appraisal with Tom Kyser, SRA, MAI, a real estate appraiser. The appraisal for the property was \$595,100 or \$3.50 per square foot. The appraisal was done fee simple title (surface estate) without title report or environmental assessment. Mineral interests would be retained by the seller. Mr. McBee has offered to sell the property for \$485,000 or approximately \$2.85 per square foot. If approved, the property will come with a title policy at closing. Funding for the purchase would come from Fund Balance.

c. Action regarding Inmate Communications Service Agreement with NCIC Inmate Communications, Inc.

Summary: NCIC Inmate Communication, Inc. provides inmate phone services in jails, detention centers, and prisons. The proposed agreement outlines the scope of services, fees, and obligations. The Saginaw City Jail is equipped with telephones inside certain jail cells where inmates may be housed until released or transferred. These phones are designed to operate with software that logs and documents inmate calls by date, time, duration, and phone number, generates reports for department records, and provides additional phone controls and features remotely. Phones were previously operated through JCW until they discontinued their service in 2020. Using current hardware, NCIC Inmate Communications will load proprietary software on the phone system to operate the service. Because inmates are not allowed to have personal items or money in the cells, calls can be placed by normal carrier based "collect call" service, or direct by pre-paid phone cards or debit cards. NCIC Inmate Communications collects a portion of these fees for providing the service. The agreement stipulates that there is no cost to the City, and the City will receive 35% of any gross revenue after the first \$250 of gross revenue in each month. The agreement will be renewable annually.

d. Action regarding Approval of a Discretionary Service Agreement with Oncor Electric Delivery Company LLC (Oncor) for the E. Cement Creek Drainage Project

Summary: The City's Capital Improvement Program includes drainage improvements for East Cement Creek. The project is under design by Kimley-Horn and Associates, Inc. and is nearing design completion. The project will require the relocation of Oncor Facilities in conflict with the construction of the new channel. Oncor has prepared a Discretionary Service Agreement (DSA) defining the scope of work by Oncor and the obligations of the City. The scope and obligations are as follows. Oncor will replace one wood pole behind 304/308 Opal Street; install one wood pole behind 404 Opal Street; install approximately 250' of single phase overhead conductor; replace approximately 100' of underground service line with conduit; install approximately 80' of underground single phase primary with conduit and abandon 330' of direct buried primary conductor. The City will acquire new easement for relocation of pole behind 304/308 Opal and contribute \$10,052 towards the project. The easements have been acquired or are in acquisition and will be in place prior to commencement of the work. Funding is available in the Drainage Fund, Account 14-7000-00, Capital Outlay/Special Request.

e. Action regarding Acquisition of a Permanent Drainage Easement at 308 Opal Street

Summary: The City's Capital Improvement Program includes drainage improvements for East Cement Creek. The project is under design by Kimley Horn and Associates, Inc. and is nearing design completion. The design requires that the City obtain three Permanent Drainage and Utility Easements for properties along Opal Street. On July 7, 2020, the City Council authorized an agreement with Tom Kaiser, MAI, a real estate appraiser, to perform appraisals for the three easements to determine the value. One of the easements is on Lot 9, Block 1, Rancho North Addition (308 Opal Street) owned by Bobby and Anita Moorman. Mr. Kaiser determined that the value of the easement with damages for the Moorman's is \$5,200. The value includes \$1,900 for the easement and \$3,300 for improvements that would have to be removed or relocated for the project. Staff met with Mr. Moorman to review the offer. The appraisal provided 60% depreciated compensation for improvements in Mr. Moorman's backyard including a 10'x12' storage shed, concrete and brick patio areas, a railroad tie retaining wall and deck. After negotiations with Mr. Moorman, an offer was made to replace the 10'x12' shed and construct a new 10'x22' concrete pad/patio. The existing shed would be demolished and removed along with the concrete/brick patio. The railroad tie retaining wall and deck would be removed during construction of the project. A bid was received from Ware Fencing in the amount of \$10,500 to accomplish the work. The Moorman's have accepted

staff's offer as compensation for the Permanent Drainage and Utility Easement. Funding is available in the Drainage Fund, Account 14-7000-00, Capital Outlay.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Tucker to approve the consent agenda as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flipppo, Mayor Pro-Tem Junkersfeld,
Councilmembers Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Beasley

- (5) PUBLIC HEARING—Consideration and Action regarding a Resolution of the City Council of the City of Saginaw, Texas Authorizing and Creating the Beltmill Public Improvement District in Accordance with Chapter 372 of the Texas Local Government Code on property consisting of approximately 380.9 acres and described as being all that certain lot, tract or parcel of land situated in the Heirs of Benjamin Thomas Survey, Abstract Number 1497, City of Saginaw, Tarrant County, Texas, and being part of that certain called 380.90 acre tract of land described in deed in favor of CFI Farm Properties, LLC (Resolution No. 2021-08)

City Manager Reaume explained that due to the re-scheduling of the February 16th City Council Meeting, it is recommended that the public hearing for this item not be held and the public hearing be re-advertised and held on March 16, 2021.

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Junkersfeld to approve Resolution No. 2021-08 calling a public hearing for March 16, 2021 to consider and act on a resolution authorizing the creation of the Beltmill Public Improvement District as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flipppo, Mayor Pro-Tem Junkersfeld,
Councilmembers Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Beasley

- (6) Consideration and Action regarding an Escrow Agreement by and between Beltmill Saginaw, LLC, the City of Saginaw, Texas, and the City Attorney as escrow agent, governing terms and conditions for the Filing of a Petition for Dissolution of the Beltmill Public Improvement District

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to table this item until the March 16th City Council Meeting. Motion carried unanimously. 6-0-0-1

For: Mayor Flipppo, Mayor Pro-Tem Junkersfeld,
Councilmembers Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Beasley

- (7) Consideration and Action regarding Chapter 380 Incentive Agreement with CTI Beanmaker (500 Sansom Blvd.)

Motion was made by Councilmember Farr with a second by Councilmember Bighorse to approve the Chapter 380 Incentive Agreement with CTI Beanmaker as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Beasley

- (8) Consideration and Action regarding a Recommendation from the Planning and Zoning Commission regarding Approval of a Preliminary Plat for Idea Schools Addition, Lots 1 and 2, Block A being a 12.010 Acre Tract situated in the Alexander Albright Survey, Abstract No. 1849, City of Saginaw, Tarrant County, Texas

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Junkersfeld to approve the preliminary plat for Idea Schools Addition, Lots 1 and 2, Block A as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Beasley

- (9) Consideration and Action regarding a Recommendation from the Planning and Zoning Commission Regarding Approval of a Final Plat for Idea Schools Addition, Lots 1 and 2, Block A being a 12.010 Acre Tract situated in the Alexander Albright Survey, Abstract No. 1849, City of Saginaw, Tarrant County, Texas

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Junkersfeld to approve the final plat for Idea Schools Addition, Lots 1 and 2, Block A as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Beasley

- (10) PUBLIC HEARING—Consideration and Action regarding a Recommendation from the Planning and Zoning Commission regarding an Ordinance amending Ordinance No. 2002-04, as amended, the Zoning Ordinance of the City of Saginaw, Texas, by changing the zoning classification on 4.5844 acres of land, Lot 1, Block 1, McNeil Addition, also known as 700 West McLeroy Boulevard from Neighborhood Commercial (NC) to Community Facilities (CF); revising the official zoning map in accordance therewith; and by amending the Comprehensive land use plan relating to said property by changing the land use from Neighborhood Commercial (NC) to Community Facilities (CF) (Ordinance No. 2021-06)

Mayor Flippo declared the public hearing for this item opened at 2:19 p.m. He called for any public input. There was none. Mayor Flippo declared the public hearing closed at 2:20 p.m.

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Junkersfeld to approve Ordinance No. 2021-06, changing the zoning classification for 700 West McLeroy Blvd. from Neighborhood Commercial (NC) to Community Facilities (CF) as recommended by the Planning and Zoning Commission. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Beasley

- (11) PUBLIC HEARING—Consideration and Action regarding a Recommendation from the Planning and Zoning Commission to Amend the Zoning Ordinance (No. 2001-04) Section 7-2 Amending Regulations for “Carport overlay district” (Ordinance No. 2021-07)

Mayor Flippo declared the public hearing for this item opened at 2:20 p.m. He called for any public input. There was none. Mayor Flippo declared the public hearing closed at 2:24 p.m.

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Junkersfeld to approve Ordinance No. 2021-07, amending regulations for “carport overlay district” as recommended by the Planning and Zoning Commission. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Beasley

(12) Consideration and Action regarding a Variance Request for Driveway serving the Proposed Fire Station No. 1 and Fire Administration

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Junkersfeld to approve the variance request for a driveway serving the proposed Fire Station No. 1 and Fire Administration as recommended by the Planning and Zoning Commission. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Beasley

(13) Consideration and Action regarding a Variance Request for Screening Fence for Proposed Fire Station No. 1 and Fire Administration

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Junkersfeld to approve the variance request for a screening fence for proposed Fire Station No. 1 and Fire Administration as recommended by the Planning and Zoning Commission. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Beasley

(14) PUBLIC HEARING—Consideration and Action regarding a Recommendation from the Planning and Zoning Commission for a Request for a Specific Use Permit to allow the operation of a Smoke Shop on Property located at Lot 2RA, Block A (1453 N. Saginaw Blvd., Ste. 110) of the Saginaw Retail Center (Ordinance No. 2021-08)

Mayor Flippo declared the public hearing for this item opened at 2:30 p.m. Ms. Vy Le was present to represent the landlord of the property. She briefly explained the proposed the location of the proposed shop. Mayor Flippo called for any public comments. There were none. Mayor Flippo declared the public hearing closed at 2:42 p.m.

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Junkersfeld to table this item. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Beasley

Note: the applicant did not arrive at the meeting until after action was taken on this item.

- (15) Consideration and Action regarding Resolution No. 2021-09, Adopting the Fiscal Year 2020-2021 Annual Strategic Project List and Work Plan

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Tucker to table this item. Motion carried unanimously. 6-0-0-1

For: Mayor Flipppo, Mayor Pro-Tem Junkersfeld,
Councilmembers Beasley, Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

- (16) Consideration and Action regarding First Amendment to Agreement between the City of Saginaw and Community Link Mission, Inc. regarding Farmer's Market at Saginaw Switchyard

Motion was made by Councilmember Farr with a second by Councilmember Copeland to approve First Amendment to the Agreement between the City of Saginaw and Community Link Mission as presented. Motion carried. 4-2-0-1

For: Mayor Flipppo, Councilmembers Farr, Tucker, and Copeland

Against: Mayor Pro-Tem Junkersfeld and Councilmember Bighorse

Abstain: None

Absent: Councilmember Beasley

- (17) Executive Session

1 § 551.071. Texas Government Code. Consultation with Attorney. The City Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the City Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items:

- a. Any Posted Item

- (18) Adjournment

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Junkersfeld to adjourn the meeting. Motion carried unanimously. 6-0-0-1

For: Mayor Flipppo, Mayor Pro-Tem Junkersfeld,

Councilmembers Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Beasley

Mayor Flippo declared the City Council Meeting of February 19, 2021 adjourned at 3:05 p.m.

ATTEST:

APPROVED:

City Secretary Janice England

Mayor Todd Flippo