

**CITY OF SAGINAW
MINUTES OF CITY COUNCIL MEETING
AND PUBLIC HEARING
HELD AT THE SAGINAW CITY HALL
333 WEST MCLEROY BLVD.
FEBRUARY 21, 2023**

Present at the meeting:

Mayor	Todd Flippo
Mayor Pro-Tem	Valerie Junkersfeld
Councilmember	Paul Felegy
Councilmember	Nicky Lawson
Councilmember	Cindy Bighorse
Councilmember	Mary Copeland
City Attorney	Bryn Meredith
City Attorney	Fritz Quast
City Engineer	Trenton Tidwell
City Engineer	Laura Presley
City Manager	Gabe Reaume
Asst. City Manager	Lee Howell
Finance Director	Kim Quin
City Secretary	Janice England
Police Chief	Russell Ragsdale
Police Lieutenant	James Crippin
Police Lieutenant	Corey Burnett
Fire Chief	Doug Spears
Asst. Fire Chief	Scott Craver
Director of Public Works	Randy Newsom
Director of Comm. & Eco Dev.	Keith Rinehart
Director of Human Resources	Melanie McManus
Library Director	Ellen Ritchie
Chief Building Official	Larry Little
Recreation Svcs. Manager	Vickie Weldon
Information Tech. Manager	Greg Clayton
Communications Manager	Pedro Zambrano
Planning Manager	Susy Victor-Trevino

Absent from the meeting:

Councilmember	Charles Tucker
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Visitors at the meeting:

Brack St. Clair	John Peet
J.D. Peet Jr.	Dean Miller
Donald Tucker	Whitney Berry
Trey Harper	Bobby Cartwright

Brent Wooten
Bev Scott
Karen Fuller
Bryan Waugh
Tanner Harris
Kelly Stewart
Krista Knowles
Ashley Sims
Abra Nusser

Julie Mankins
Michael Orr
Austin Pittman
Dale Alderete
Larry Zollinger
Mark Towns
Colton Cupp
Jennifer Blick

(1) Call to Order

Mayor Flippo called the meeting to order at 6:00 p.m. with a quorum present. He stated that Councilmember Tucker would not be present at the meeting.

Pledge of Allegiance to the United States

Pledge of Allegiance to the State of Texas

(2) Invocation

Pastor Michael Orr of the Saginaw Church of Christ gave the invocation.

(3) Audience Participation

This item was covered on the video screen.

(4) Consent Agenda

a. Action regarding Minutes, February 7, 2023

b. Action regarding Award of Bid for Replacement of 25-ton HVAC RTU Unit for the Police Department

Summary: The bid notice for the replacement of the 25-ton HVAC RTU Unit at the Police Department was advertised on January 25th and February 1st with the bid opening date on February 8, 2023. TD Industries submitted the only bid. The amount of the bid is \$76,972. Staff has reviewed it and recommends the bid be awarded to TD Industries. Staff has confirmed with TD Industries that the amount of the bid is valid. The statement in the bid that the pricing is only valid for 14 days is incorrect. Funds to cover this expenditure will come from the Public Services Budget, Account 01-4900-06, Building Maintenance and Repairs.

c. Action regarding Award of Bid for Aquatic Center Repairs and Renovations

Summary: Resulting from the direction of the City Council, the City Staff works diligently to take care of our municipal Facilities. Recently, the Aquatic Center went through some repairs that were related to the 2021 Winter Storm. The Aquatic Center was built and opened during the summer of 2007. This bid covers items in need of repair prior to the 2023 season but are not related to the 2021 Winter Storm. They are related to the age of the facility and the fact that it is exposed to the elements 365 days per year. Areas in need of repair and addressed in this bid include maintenance/chemical building; pool/pool deck; concession room; restrooms (3 – men, women, family); guard shack; and concrete entry. Staff advertised for bids. Two bids were received. Staff reviewed both bids and is recommending the bid be awarded to Ware Fencing Company, the apparent low bidder, in the amount of \$51,468.00

d. Action regarding Rejection of All Bids received for Finish Mowing/Grounds Maintenance of City Facilities & Right-of-Ways and Authorize Staff to Re-advertise for Bids

Summary: The bid notice for Finish Mowing/Grounds Maintenance of City Facilities and Right-of-Ways was advertised on January 10th, January 17th, and January 24th with the bid opening date on February 7, 2023. There are two mowing cycles (A & B). The bid documents specifically required a bid amount for Cycle A and a bid amount for Cycle B. Two bids were submitted. Public Works Staff reviewed the bids and references. One bidder only submitted an annual amount for both cycles combined. The second bidder has more experience in the area of landscaping and irrigation. Therefore Director of Public Works Newsom is recommending that the bids be rejected and the staff be authorized to re-advertise for new bids.

e. Action regarding Rejection of All Bids received for Finish Mowing/Grounds Maintenance of City Parks

Summary: The bid notice for Finish Mowing/Grounds Maintenance of City Parks was advertised on January 10th, January 17th, and January 24th with the bid opening date on February 7, 2023. The bid documents specifically required a bid per cycle. Three bids were submitted. Public Works Staff reviewed the bids and references. One bidder only submitted an annual amount. One bidder has more experience in the area of landscaping and irrigation. Therefore, Director of Public Works Newsom is recommending that the bids be rejected and the staff be authorized to re-advertise for new bids.

f. Action regarding Amendment No. 1 to Task Order No. 1 with Cobb, Fendley & Associates, Inc. to provide Utility Adjustment Coordination Services for the FM156 at Industrial Intersection Project (CSJ #0718-08-076)

Summary: Fuel City Saginaw, LLC has led an effort to secure authorization for a Texas Department of Transportation (TxDOT) project to improve the intersection of FM156 (Blue Mound Road) and Industrial Avenue. The project was funded through the North Central Texas Council of Governments COVID-19 Infrastructure Project. The City of Saginaw is taking the lead as the Local Sponsor. On September 20, 2022 the City Council authorized a contract (Task Order No. 1) for Utility Coordination with Cobb, Fendley & Associates, Inc. in the amount of \$41,402. The contract provided for general utility coordination including identification of the utility companies having facilities in the project corridor, transmittal of plans, communication with utility companies and meetings regarding conflicts identified. The contract was on an hourly not to exceed basis. Since commencement of the utility clearance process, several meetings have occurred between TxDOT, Saginaw, and the City of Fort Worth regarding the requirements for relocation within state and city right-of-ways. The proposed amendment is necessary to comply with the State's request for additional information and management of the utility clearance process and the effort to accomplish that. The amount of the amendment is \$65,730 increasing the total contract amount to \$107,140. The total amount includes \$36,530 in optional services that may not be required. The optional services will not be used without prior written direction from the City. Cobb Fendley & Associates, Inc. proposes to provide these services on an hourly not to exceed basis. Funds are budgeted in the 2020 Certificates of Obligation, Account 06-1516-20 for this expenditure.

g. Action regarding Acceptance of Right-of-Way Dedication, Agreement to Accept Donation of Right-of-Way and Temporary Construction License for the FM156 at Industrial Intersection Project (CSJ #0718-02-076) from Fuel City Saginaw, LLC

Summary: The FM156 at Industrial Intersection Project is a Texas Department of Transportation Project and funded through the North Central Texas Council of Governments COVID-19 Infrastructure Project. The City of Saginaw has taken the lead as the Local Sponsor having primary responsibility for utility clearance and right-of-way for the project. The project will require a future Advance Funding Agreement to finalize costs of the construction phase. On October 18, 2022, City Council authorized Task 2 Amendment to the Professional Services Contract with Cobb, Fendley & Associates, Inc. to manage and negotiate right-of-way required for the FM156 at Industrial Intersection Project (CSJ # 0718-02-076). Fuel City Saginaw, LLC has provided the Right-of-Way Dedication, Agreement to Accept Donation of Right-of-Way and Temporary Construction License necessary to construct the project along their frontage. The proposed right-of-way dedication is approximately 0.0839 acres of land. A Donation Agreement has been also secured whereby the owner waives its right to an appraisal of the property and compensation. The Temporary Construction License allows contractor access to Fuel City Saginaw, LLC property for the construction of driveway. Fuel City Saginaw, LLC will have a right-of-way encroachment from their sign requiring an Encroachment Agreement that will be brought back to Council at a future date.

Mayor Flipppo stated that he received a request to pull Item 4c from the Consent Agenda.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Copeland to approve Items 4a, 4b, 4d, 4e, 4f, and 4g of the Consent Agenda as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Tucker

The Council considered Item 4c. Action regarding Award of Bid for Aquatic Center Repairs and Renovations.

Motion was made by Councilmember Lawson with a second by Mayor Pro-Tem Junkersfeld to approve Item 4c of the Consent Agenda as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Tucker

(5) Recognition of Firefighters for Performing Life Saving Measures that resulted in the Patient's Full Recovery

Asst. Fire Chief Craver along with Mr. Dean Miller and Mr. Donald Tucker of Medical City Alliance recognized Fire Department Personnel for their recent life saving actions that resulted in the patient's full recovery. Certificates were presented to Lieutenant Austin Pittman, Engineer Bryan Waugh, Firefighter Tanner Harris, and Firefighter Dale Alderete.

Item No. 15 was moved to this place on the agenda.

(15) Discussion of Election Law Rules for Signage and Fliers on City Property

City Attorney Quast addressed the Council. He gave a presentation regarding the rules and regulations for political signs and advertising on City property.

(6) PUBLIC HEARING – Consideration and Action regarding Proposal to Relocate the Surface Improvements made to Veteran's Memorial at Kiwanis Park to 333 West McLeroy Blvd. and to consider the Approval of a Non-Park Use of the Park Property as a Component of a Proposed Economic Development Project involving a Multi-Restaurant Concept and Entertainment Venue

Mayor Flippo declared the public hearing for this item opened at 6:37 p.m. City Attorney Meredith explained the purpose of the public hearing is for input concerning the relocation of the Veterans Memorial and input concerning a non-park use of the park property.

Mr. John Peet addressed the Council. He expressed his concerns about the relocation of the park. There being no further public comments, Mayor Flipppo declared the public hearing closed at 6:54 p.m.

Motion was made by Councilmember Lawson with a second by Councilmember Bighorse to approve the relocation of the surface improvements made to Veteran's Memorial at Kiwanis Park to 333 West McLeroy Blvd. and approve the non-park use of the park property as a component of a proposed economic development project involving a multi-restaurant concept and entertainment venue. Motion carried. 5-0-1-1

For: Mayor Flipppo,
Councilmembers Felegy, Lawson, Bighorse, and Copeland

Against: None

Abstain: Mayor Pro-Tem Junkersfeld (due to Conflict of Interest)

Absent: Councilmember Tucker

- (7) PUBLIC HEARING – Consideration and Action regarding Recommendation from Planning & Zoning Commission regarding Request for a Specific Use Permit to Allow the Construction and Use of a Carport on Property located at 1145 West Hills Terrace (Ordinance No. 2023-07)

Mayor Flipppo declared the public hearing for this item opened at 6:55 p.m. Fire Chief Spears stated this request for a Specific Use Permit to allow a carport at 1145 West Hills Terrace is the first request since the carport ordinance was revised. He explained that due to a breakdown in communication he recommends that the staff be given time to meet with the applicants and explain the ordinance.

Mayor Flipppo stated that no action would be taken on this request tonight. Mr. Colton Cupp addressed the Council. He expressed concern regarding the specific use permit application fee of \$750.00, and the misinformation provided on the permit process. Ms. Julie Mankins, owner of the property, expressed her concern about incorrect information regarding carports on the City's website. After some discussion, the consensus of the Council was to refund the specific use permit application fee of \$750.00 for this particular request.

There being no further comments, Mayor Flipppo declared the public hearing closed at 7:13 p.m.

- (8) PUBLIC HEARING – Consideration and Action regarding Recommendation from Planning & Zoning Commission regarding an Ordinance amending the Zoning Ordinance of the City of Saginaw, Texas, regarding a Change in Zoning from Single Family (SF) to Community Facility (CF) on the approximate 5.25 acres out of the Juan Armendaris Survey, Abstract No. 59, Tract 2A 2D & Alexander F. Albright Survey, Abstract 1849, Tract 2B4, and Juan Armendaris Survey, Abstract No. 59, Tract 2E, more commonly known as 320 and 304 West McLeroy Blvd. (Per TAD) (Ordinance No. 2023-08)

Mayor Flipppo declared the public hearing for this item opened at 7:14 p.m. Planning Manager Victor-Trevino explained the property at 304 and 320 West McLeroy Blvd. will be the location of the future library and senior center. The proposed zoning change to Community Facility will accommodate that use of the property. Mayor Flipppo called for public input. There was none. Mayor Flipppo declared the public hearing closed at 7:18 p.m.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to approve Ordinance No. 2023-08 changing the zoning from Single Family (SF) to Community Facility (CF) on the property at 304 and 320 W. McLeroy Blvd. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Tucker

- (9) Consideration and Action regarding Agreement between the City of Saginaw and Community Link Mission, Inc. for the Operation and Promotion of the Farmer's Market at Saginaw Switchyard for 2023

Ms. Whitney Berry, Farmer's Market Coordinator, gave a brief overview of the Farmer's Market.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to table this item until after the budget workshop is held. Motion carried. 4-2-0-1

For: Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, and Bighorse

Against: Mayor Flippo and Councilmember Copeland

Abstain: None

Absent: Councilmember Tucker

- (10) Consideration and Action regarding Amendment No. 1 to Individual Project Order (IPO) with Kimley-Horn and Associates, Inc. (KHA) for Final Design of Knowles Drive

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Copeland to approve Amendment No. 1 to Individual Project Order with Kimley-Horn and Associates, Inc. for Final Design of Knowles Drive. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Tucker

- (11) PUBLIC HEARING—Consideration and Action regarding Ordinance No. 2023-09, Amending Appendix B, the Saginaw Subdivision Ordinance, of the Saginaw City Code by Repealing and Replacing the City Construction Standards Referenced in Section 7.01 B. Thereof in its Entirety

Mayor Flippo declared the public hearing for this item opened at 7:37 p.m. Director of Public Works Newsom explained the purpose of this ordinance is to update the construction standards and details. There being no public input, Mayor Flippo declared the public hearing closed at 7:39 p.m.

Motion was made by Councilmember Lawson with a second by Mayor Pro-Tem Junkersfeld to approve Ordinance No. 2023-09 as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Tucker

- (12) PUBLIC HEARING – Consideration and Action regarding Approval of a Request for City-Initiated Rezoning of Multiple Parcels to “NMU” (Neighborhood Mixed Use) District for Conformance to the City’s Comprehensive Plan on the following properties: Saginaw Springs, Block 2, Lot 30, Commercial Tract 2; Albright, Alexander F. Survey Abstract 1849 Tract 2C04; Albright, Alexander F. Survey Abstract 1849 Tract 2C; Ideal Schools Addition Block A, Lot 1; Albright, Alexander F. Survey Abstract 1849 Tract 3A; Albright, Alexander F. Survey Abstract 1849 Tract 3H05 in Saginaw, Tarrant County, Texas (Ordinance No. 2023-10)

Mayor Flippo declared the public hearing for this item opened at 7:40 p.m. Ms. Abra Nusser of Peloton Land Solutions addressed the Council and explained the city-initiated zoning request in this item and also Item 13. Mr. John Peet expressed his concern regarding this item and that this item came before the Planning and Zoning Commission on Election Night in November. Mr. Brent Wooten addressed the Council. He encouraged the Council to approve the zoning as requested. There being no further public comment, Mayor Flippo declared the public hearing closed at 8:10 p.m.

Motion was made by Councilmember Copeland with a second by Councilmember Felegy to approve Ordinance No. 2023-10, city initiated zoning of parcels 1-3, 5, and 7-8 to Neighborhood Mixed Use District as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Tucker

- (13) PUBLIC HEARING – Consideration and Action regarding Approval of a Request for City-Initiated Rezoning to “NMU” (Neighborhood Mixed Use) District for Conformance to the City’s Comprehensive Plan, being 15.2 acres out of the Albright, Alexander F. Survey, Abstract 1849, Tract 3H, Saginaw, Tarrant County, Texas from Community Commercial (CC) Zoning to “NMU” (Neighborhood Mixed Use) Zoning (Ordinance No. 2023-11)

Mayor Flippo declared the public hearing for this item opened at 8:11 p.m. He explained this item is for parcel 4. There being no public input, Mayor Flippo declared the public hearing for this item closed at 8:12 p.m.

Motion was made by Councilmember Copeland with a second by Councilmember Lawson to approve Ordinance No. 2023-11, city initiated zoning of parcel 4 to Neighborhood Mixed Use District. Motion carried. 5-0-1-1

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

Against: None

Abstain: Councilmember Felegy (due to Conflict of Interest)

Absent: Councilmember Tucker

(14) Consideration and Action regarding Resolution No. 2023-03, Adopting 2023 Work Plan

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to approve Resolution No. 2023-03, adopting the 2023 Work Plan. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Tucker

(15) Discussion of Election Law Rules for Signage and Fliers on City Property

This item was moved up on the agenda. It followed Item No. 5.

(16) Budget Workshop

This item was requested by the Council at the last meeting. Finance Director Quin gave a presentation regarding the overall budget, tax rate and the potential effect of a reduction of services and/or programs on the tax rate. There was a lengthy discussion regarding salaries, programs, the budget for the current fiscal year as well as next fiscal year. The effect of the 2021 bonds, approved by voters, on the tax rate was discussed. It was agreed to have budget workshops by department at future Council Meetings.

At this point, the Council returned to Item 9, Consideration and Action regarding Agreement between the City of Saginaw and Community Link Mission, Inc. for the Operation and Promotion of the Farmer's Market at Saginaw Switchyard for 2023. Mayor Flippo pointed out that this expenditure is funded with hotel/motel taxes and has no impact on the tax rate.

Motion was made by Councilmember Felegy with a second by Councilmember Lawson to approve the agreement with Community Link Mission, Inc. for the operation and promotion of the Farmer's Market at the Saginaw Switchyard for 2023. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,

Councilmembers Felegy, Lawson, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Tucker

(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 Felegy with a second by Councilmember Bighorse to adjourn the meeting. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Tucker

Mayor Flippo declared the City Council Meeting of February 21, 2023 adjourned at 9:19 p.m.

ATTEST:

APPROVED:

City Secretary Janice England

Mayor Todd Flippo