

**CITY OF SAGINAW  
MINUTES OF CITY COUNCIL MEETING,  
PUBLIC HEARING AND WORKSHOP  
HELD AT THE SAGINAW CITY HALL  
333 WEST MCLEROY BLVD.  
JULY 23, 2019**

Present at the meeting:

Mayor	Todd Flippo
Mayor Pro-Tem	Valerie Tankersley
Councilmember	Charles Beasley
Councilmember	Patrick Farr
Councilmember	Valerie Tankersley
Councilmember	Charles Tucker
Councilmember	Cindy Bighorse
Councilmember	Mary Copeland
City Attorney	Bryn Meredith
City Engineer	Dana Shumard, P.E.
City Engineer	Katherine McGill
City Manager	Gabe Reaume
Asst. City Manager	Dolph Johnson
Finance Director	Kim Quin
City Secretary	Janice England
Police Chief	Lee Howell
Asst. Police Chief	Russell Ragsdale
Fire Chief	Doug Spears
Fire Division Chief	Scott Craver
Fire Division Chief	Eddy Wood
Director of Public Works	Rick Trice, P.E.
Director of Economic Dev.	Alora Wachholz
Director of Human Resources	Melanie McManus
Library Director	Ellen Ritchie
Police Officer	Alex Shelton

Absent from the meeting:

Director of Community Svcs.	Keith Rinehart
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Visitors at the meeting:

Barbara Hawthorne	Harold Hawthorne
William Stegall	Linda Stegall
Barbara Beerling	Adell Conner
Norma Jones	Barbara Carlson
Marian Johnson	Ronda M. Hill
Cindy Conner	Glen Reeves
Dale Reed	Bobby Henson
Nancy Henson	Donna Jones

Debbie Stephens	Shannon Stewart
Marie Lynam	Ally Surface
Kathryn Johnson	Michael Johnson
Carlos Spears	Joey Tubbs
Isaac Turpin	Xzavias Turpin
Chuck Stark	Misty Farr
Seth Snyder	Mason Phelps
Eugene Willman	Roman Romashkin
Stacy Lomeli	Suellen Prince
Tony Ball	Chris Rogers
Chris (no last name)	W. Ball
Mary Ragle	Cheyenne McMillin
Siobhan Lilley	John Tadlock
Dean Baumann	Austin Pittman
Will Bradley	David Walker
John Cook	Malcolm Mitchell
Wesley Dinniston	Megan Johnson
Michael Penninger	Andrew Friedman

(1) Call to Order

Mayor Flipppo called the meeting to order at 6:00 p.m. with a quorum present. The members of Boy Scout Troop #3 led the pledges.

Pledge of Allegiance to the United States

Pledge of Allegiance to the State of Texas

(2) Invocation

Pastor Shannon Stewart of the Crossroads Church gave the invocation.

(3) Audience Participation

This item was covered on the video screen.

(4) Consent Agenda

a. Action regarding Minutes, July 2, 2019

b. Action regarding Approval of Audit Engagement Letter for FY2018/2019

*Summary: On June 18<sup>th</sup> the City Council awarded the bid for professional audit services to Weaver and Tidwell. The audit contract is for a period of two years with the option for three, one year renewals. The audit to be performed for the fiscal year 2018/2019 will be the first year of the contract. The engagement letter explains the services and procedures that will be used for the audit. The cost will be \$45,000 and will be included in the FY2019/2020 budget.*

c. Action regarding Authorization of City Manager to execute a Partial Release of Easement and Restrictive Covenants from Atmos Energy Corporation (Atmos) in Willow Creek Park

*Summary: On August 7, 2018, the City Council authorized a Food Truck Park and Farmers Market in Willow Creek Park. The project included a new parking lot located on the west side of the park with access proposed off of Longhorn Boulevard. Construction was to be done by Tarrant County Precinct 4. In late 2018, during utility locates for the project, it was discovered that Atmos had a blanket easement, dedicated in 1908, that covered the entire area of the park where the parking lot was proposed. Atmos has a high pressure gas line that runs diagonally through the park. Staff has been working with*

*Atmos since that time to reduce the easement to 100' in width. The reduction will allow the parking lot construction to go forward as planned. Staff recommends that the Council authorize the City Manager to execute the Partial Release of Easement and Restrictive Covenants from Atmos Energy Corporation.*

d. Action regarding Building Improvement Grant Agreement with Frank Riley  
(216 E. McLeroy Blvd.)

*Summary: On July 2, 2019, the City Council heard information in Executive Session pertaining to the specifics of a Building Improvement Grant (BIG) Program application that was submitted on June 19, 2019 by Frank Riley in regards to his property located at 216 E. McLeroy Blvd. The City Council determined in that session to award an amount not to exceed \$3,000 in reimbursable, and matching dollars, for the anticipated improvements as proposed on his application. The contract included in the packet is the realization of that intention. Funds are available in Account 01-6142-13 for this expenditure.*

e. Action regarding Building Improvement Grant Agreement with Roger Brandt  
(120 W. McLeroy Blvd.)

*Summary: On July 2, 2019, the City Council heard information in Executive Session pertaining to the specifics of a Building Improvement Grant (BIG) Program application that was submitted on June 27, 2019 by Roger Brandt in regards to his property located at 120 W. McLeroy Blvd. The City Council determined in that session to award an amount not to exceed \$5,000 in reimbursable and matching dollars, for the anticipated improvements as proposed on his application. The contract included in the packet is the realization of that intention. Funds are available in Account 01-6142-13 for this expenditure.*

f. Action regarding Building Improvement Grant Agreement with Richard Mittelman  
(101 S. Belmont St.)

*Summary: On July 2, 2019, the City Council heard information in Executive Session pertaining to the specifics of a Building Improvement Grant (BIG) Program application that was submitted on June 14, 2019 by Richard Mittelman in regards to his property located at 101 Belmont St. The City Council determined in that session to award an amount not to exceed \$5,000 in reimbursable and matching dollars, for the anticipated improvements as proposed on his application. The contract included in the packet is the realization of that intention. Funds are available in Account 01-6142-13 for this expenditure.*

Councilmember Farr requested that Item 4e and Item 4f be pulled from the Consent Agenda.

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Tankersley to approve Item 4a, Item 4b, Item 4c and Item 4d of the consent agenda as presented. Motion carried unanimously. 7-0-0-0

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

Against: None

Abstain: None

Absent: None

Councilmember Farr explained that he would be abstaining on both Item 4e and Item 4f because both properties are adjacent to property that he owns.

Motion was made by Councilmember Bighorse with a second by Mayor Pro-Tem Tankersley to approve Item 4e and Item 4f as presented. Motion carried. 6-0-1-0

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

Against: None

Abstain: Councilmember Farr

Absent: None

(5) Presentation to the Muscular Dystrophy Association from Saginaw Professional Firefighters Association

Fire Chief Spears stated that he is making this presentation on behalf of the Saginaw Professional Firefighters Association. He explained that on May 14<sup>th</sup> and 25<sup>th</sup>, the firefighters collected money through their “Fill the Boot Campaign” for the Muscular Dystrophy Association. He introduced the Association’s MDA Boot Buddy, Wesley Dinniston. Fire Chief Spears, with assistance from the Dinniston Family and members of the Saginaw Professional Firefighters Association, presented a check in the amount of \$5,500 to Megan Johnson, Executive Director of the DFW Area Muscular Dystrophy Association. Ms. Johnson expressed her appreciation.

(6) Recognition of the Saginaw Municipal Court by the Texas Municipal Courts Education Center for Participating in Municipal Court Week

Finance Director Quin stated that the Saginaw Municipal Court participated in Municipal Court Week during the week of November 5, 2018. Municipal Court personnel set up a table in the lobby of City Hall and provided traffic safety materials to visitors. Materials were provided for both children and adults. The Texas Municipal Courts Education Center has recognized them for these traffic safety outreach efforts. Mayor Flippo presented the Municipal Court Staff with a Certificate of Recognition from the Texas Municipal Courts Education Center.

(7) Presentation of Government Finance Officers Association Distinguished Budget Presentation Award to Kim Quin, Finance Director, and Stacy Hernandez-Lomeli, Management Analyst

City Manager Reaume that this is the 32<sup>nd</sup> consecutive year that the City has received the Government Finance Officers Association Distinguished Budget Presentation Award. He commended Finance Director Quin and Management Analyst Lomeli on their efforts and the receipt of the award. Mayor Flippo presented the award to Finance Director Quin and Management Analyst Lomeli.

(8) PUBLIC HEARING – Consideration and Action regarding a request for approval to amend the 2016 Comprehensive Plan from Office Professional (OP) to Neighborhood Commercial (NC) and to change the Zoning from Office Professional (OP) to Neighborhood Commercial (NC) on approximately 5.93 acres of land out of a portion of Tract 2A, Abstract 1849, A.F. Albright Survey located at the Northeast Corner of N. Knowles Drive and W. McLeroy Blvd.

Mayor Flippo declared the public hearing for this item opened at 6:14 p.m. Director of Public Works Trice explained that this request is to amend the 2016 Comprehensive Plan from Office Professional (OP) to Neighborhood Commercial (NC) and to change the zoning from Office Professional (OP) to Neighborhood Commercial (NC) on approximately 5.93 acres of land located at the northeast corner of Knowles Drive and West McLeroy Blvd. He stated that the intended use is a skilled nursing facility. He added that a Specific Use Permit (SUP) is required and the property is currently not platted. He explained that the plat and request for a SUP will be presented to the City Council at a future meeting. He also stated that the Planning and Zoning Commission considered this request at their meeting on July 9, 2019 and voted unanimously to recommend approval to the City Council.

Mr. Chuck Stark representing the property developer addressed the Council. He explained that the proposed one-story facility will have 120 beds. The projected cost is \$10,000,000 and there will be approximately 100 full time and part time employees. He added that this particular site was selected due to the demographics of the area. He also stated that this facility will not be a long term care facility. He expressed his concern about the roundabout being considered

at the intersection of Knowles Drive and West McLeroy Blvd. He stated that in his opinion this would be detrimental at this location and be hazardous to people trying to access Willow Creek Park.

There was a lengthy discussion regarding the proposed use and zoning. Also discussed was the current Office Professional Zoning on the property and the uses allowed in it. A lengthy discussion followed regarding zoning and specific use permits. Councilmember Farr stated that most visitors in the audience were under the impression that the proposed facility would be a nursing home facility that allows long term care. Mr. Stark stated that the proposed facility will be a rehabilitation facility and not an assisted living facility.

There was concern expressed about taking action on the proposed zoning tonight and considering the SUP at a later date. Mr. Stark explained that typically they present the zoning and SUP at the same meeting and that was their initial intention. However, the SUP and plat were delayed but the public hearing for the proposed zoning had already been advertised for tonight's meeting. He added that he is not opposed to tabling this item and consider it later at the meeting with the SUP and plat. The proposed roundabout and pedestrian safety were mentioned again.

Ms. Dale Reed (800 Palomino Drive) addressed the Council. She explained that she is present tonight to encourage approval of the proposed facility. She added that she would also like to City to pursue a nursing home facility for long term care. She asked Mr. Stark if it would be possible to expand the proposed facility to include long term care. Mr. Stark stated that he did not have the answer to that question tonight but would find out.

Ms. Barbara Beerling, one of two owners of the property, addressed the Council. She stated that it was her understanding that the proposed facility would allow rehabilitation patients to stay up to 100 days (per Medicare) and also allow patients to stay longer if they were private pay. Mr. Stark stated that he would get clarification. Ms. Beerling explained that Saginaw needs a long term care nursing home and also a short term rehabilitation facility.

Mr. Michael Penninger (816 Willow Wood Drive) addressed the Council. He explained that he lives across from the property being discussed. He expressed concern about access to the property for emergency vehicles. He also expressed concern about the facility causing an increase in flooding on his property.

Mayor Flippo called for any additional public input. There was none. He declared the public hearing for this item closed at 6:56 p.m.

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Tankersley to table this item for further discussion. Motion carried unanimously. 7-0-0-0

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

Against: None

Abstain: None

Absent: None

#### (9) Consideration and Action regarding the Sale of Tax Notes

Mr. Andrew Friedman of SAMCO Capital Markets, Inc.(the City's financial advisors) addressed the Council. He explained the option available to the City to issue short term debt in order to maintain capacity in the interest and sinking portion of the tax rate. He explained the financial analysis for this option. A tax note in the amount of \$2,000,000 can be issued to purchase land for future municipal facilities, partially fund the Willow Creek Park

Playground, expansion of the parking lot at the Police Department, and roadway improvements. There was a lengthy discussion regarding the proposed sale of tax notes, the current debt rate, and the bond election proposed for May 2020.

Motion was made by Councilmember Copeland with a second by Mayor Flippo to approve the ability to sell the tax notes as discussed. Motion carried. 4-3-0-0

For: Mayor Flippo, Mayor Pro-Tem Tankersley,  
Councilmembers Tucker and Copeland

Against: Councilmembers Beasley, Farr, and Bighorse

Abstain: None

Absent: None

*(Councilmember Farr left the meeting due to a conflict of interest regarding Item 10 and Item 11.)*

*Item 10 and Item 11 were discussed together due to the funding in Item 11 being related to the award of the contract in Item 10.*

(10) Consideration and Action regarding Award of Contract for Willow Creek Park Playground  
(Willow Creek Station)

Director of Public Works Trice explained that on April 17, 2018, the Council passed Resolution 2018-13 authorizing a budget appropriation of \$178,675 to Project Dream Play toward the completion of the Willow Creek Park Playground. Project Dream Play is a 501(c)3 non-profit organization that initiated vision for the project and raised funds in support of it. On January 15, 2019, the Council authorized a contract in the amount of \$32,500 with La Terra Studio for the design of the Willow Creek Park Playground.

Director of Public Works Trice explained that Item 11 addresses the funding agreement with Project Dream Play. The agreement includes the following: Project Dream Play will contribute to the City a total of \$143,000 to the project with \$83,500 paid within 15 days of the award of the contract; Project Dream Play will contribute \$59,000 to the City within 15 days after completion and final acceptance of the project; and it authorizes the City Manager to spend up to \$8,000 for project elements related to the project including a ground breaking ceremony and a grand opening event.

Director of Public Works Trice stated that bids for the Willow Creek Park Playground (Willow Creek Station) were opened on June 11, 2019. A total of five bids were received. La Terra Studio reviewed the bids and determined Grod Construction, LLC to be the lowest responsible bidder with a bid in the amount of \$482,484.50. He explained that funds in the amount of \$146,175 are budgeted in the Parks Department Budget, Account 01-7000-07, Capital Outlay/Special Request. Project Dream Play's contribution will be \$143,000. The remaining amount of \$193,309.50 will come from the General Fund Undesignated Fund balance. He added that staff's recommendation is to award the contract to Grod Construction LLC.

Mayor Pro-Tem Tankersley pointed out that the proposed park is all inclusive which means that all children will be able to get on the grounds but it does not mean that all children will be able to use the equipment. She expressed her concern that children that are bound to wheelchairs will not be able to access the proposed equipment. She stated there are 2,300 children in the school district that have disabilities. Of those 2,300, 32 use a wheelchair and 18 of those aren't able to get out of their wheelchairs. She explained that she is in favor of the park but is very concerned that the

wheelchair bound children will only be able to get on the grounds and play the few games that are integrated into the equipment.

Ms. Ally Surface, Vice President of Project Dream Play, addressed the Council. She explained that the proposed park will provide a space where children of all abilities can learn from each other through unstructured play without limitations. Mayor Pro-Tem Tankersley suggested that items be added to the park that would accommodate wheelchairs. City Manager Reaume explained that the surface of the park is what allows all children to access the park. He added that the surface is the most expensive part of the project. He explained that if the Council wishes to add items at an additional cost that can be done. He recommended that the contract for the park be awarded tonight as designed and at the direction of the Council, the staff can present a change order at a future meeting to accommodate the additional items. Director of Public Works Trice explained that he researched some items that would be accessible for wheelchairs and items are roughly \$30,000 each.

Motion was made by Mayor Pro-Tem Tankersley with a second by Councilmember Beasley to award the contract for Willow Creek Park Playground to Grod Construction, LLC. In the amount of \$482,484.50 with the addition of a change order for wheel chair accessible equipment in an amount not to exceed \$70,000 as discussed. Motion carried. 6-0-1-0

For: Mayor Flippo, Mayor Pro-Tem Tankersley,  
Councilmembers Beasley, Tucker, Bighorse and Copeland

Against: None

Abstain: Councilmember Farr

Absent: None

(11) Consideration and Action regarding Agreement with Project Dream Play regarding Willow Creek Park Playground (Willow Creek Station)

*This item was discussed during Item 10.*

Motion was made by Mayor Pro-Tem with a second by Councilmember Beasley to approve the agreement with Project Dream Play regarding Willow Creek Park Playground (Willow Creek Station). Motion carried. 6-0-1-0

For: Mayor Flippo, Mayor Pro-Tem Tankersley,  
Councilmembers Beasley, Tucker, Bighorse and Copeland

Against: None

Abstain: Councilmember Farr

Absent: None

*(Councilmember Farr returned to the meeting.)*

(12) Recess into Workshop

Mayor Flippo declared the meeting recessed into Workshop at 7:56 p.m.

(13) FY19/20 Budget Workshop: Enterprise Fund and Enterprise Escrow Fund

Finance Director Quin gave a presentation regarding the Enterprise Fund and the Enterprise Escrow Fund. She explained the anticipated revenues and expenses for the fiscal year 2019/2020. She stated that the City of Fort Worth has indicated that there will be a 10.49% decrease in water rates and a 3.44% decrease in wastewater rates. The proposed fiscal year 2019/2020 budget will include a 5% water rate decrease and no change in the wastewater rates.

(14) Knowles Drive Conceptual Plan Update

Dana Shumard, P.E., of Kimley-Horn & Associates gave a brief overview of the Knowles Drive conceptual plan. The project will include Knowles Drive from Longhorn Road to Edwards Drive. There was some concern expressed about the possibility of a roundabout being placed at the intersection of Knowles Drive and West McLeroy Blvd.

(15) Master Parks Plan Concept

Katherine McGill of Kimley-Horn & Associates gave a brief overview of the Master Parks Plan Concept. She discussed the individual parks and cost estimates for improvements.

(16) Capital Improvements Plan Update

Dana Shumard, P.E., of Kimley-Horn & Associates presented the 2019 Capital Improvements Plan Update. The update included population, water, wastewater, drainage, community facilities, parks, and streets.

(17) Discussion of Strategic Plan—Annual Action Plan

City Manager Reaume called the Council's attention to the proposed Annual Action Plan included in the Council packets. He explained that this proposed plan is related to the annual budget and will be discussed at the Council budget workshop on Saturday, August 10<sup>th</sup>.

(18) Reconvene back into Regular Session

Mayor Flipppo declared the meeting back in Regular Session at 9:13 p.m.

(19) 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

1 § 551.087. Texas Government Code. Deliberation regarding Economic Development Negotiations. The City Council may convene in executive session to discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect described above, including:

- a. Building Improvement Grant Applications—124 W. McLeroy Blvd. Suite A; 124 W. McLeroy Blvd. Suite B; and 136 W. McLeroy Blvd.

Mayor Flippo declared the meeting recessed into Executive Session at 9:13 p.m.

Mayor Flippo declared the meeting back in Regular Session at 9:34 p.m.

(14) Adjournment

Motion was made by Mayor Pro-Tem Tankersley with a second by Councilmember Tucker to adjourn the meeting. Motion carried unanimously. 7-0-0-0

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

Against: None

Abstain: None

Absent: None

Mayor Flippo declared the City Council Meeting of July 23, 2019 adjourned at 9:34 p.m.

ATTEST:

APPROVED:

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City Secretary Janice England

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Mayor Todd Flippo