

City Council Agenda

SAGINAW CITY COUNCIL NOTICE OF MEETING

Meeting and/or Executive Session Agenda
6:00 PM - Tuesday, December 6, 2022
Saginaw City Hall Council Chambers
333 West McLeroy Blvd.

In accordance with Section 551.043 of the Texas Government Code, this agenda has been posted at Saginaw City Hall, and distributed to the appropriate news media within the required time frame. All meetings of the Saginaw City Council are open to the public. Public participation and written comments are invited on all open session business items.

The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside to respond to a page or to conduct a phone conversation.

The City Hall is wheelchair accessible and special parking is available on the east side of the building. If special accommodations are required please contact the City Secretary a minimum of 72 hours in advance at 817-232-4640.

(1) Call to Order--Todd Flippo, Mayor

Pledge of Allegiance to the United States

Pledge of Allegiance to the State of Texas

"Honor the Texas Flag; I pledge allegiance to thee, Texas, one State under God, one and indivisible"

(2) Invocation--Pastor Michael Orr, Saginaw Church of Christ

(3) Audience Participation--On the Video Screen

(4) Consent Agenda--All items listed with lower case letters are part of the Consent Agenda. Public hearing and review are held collectively unless opposition is presented, in which case the contested item will be heard separately.

- (a)** Action regarding Minutes, November 15, 2022--Janice England, City Secretary
- (b)** Action regarding Cancellation of December 20, 2022 City Council Meeting--Janice England, City Secretary
- (c)** Action regarding Resolution No. 2022-24, Amending Resolution No.

2022-23 Approving the 2022-48th Year Community Development Block Grant Project Award of Contract by Tarrant County--Randy Newsom, Director of Public Works

- (d) Action regarding Funding Interlocal Agreement with Tarrant County for Wagley Robertson Road Reconstruction (Construction Phase)--Randy Newsom, Director of Public Works
 - (e) Action regarding Individual Project Order with Kimley-Horn and Associates for ADA Transition Plan Phase 4B--Intersection and Sidewalk Evaluation--Randy Newsom, Director of Public Works
 - (f) Action regarding Drainage Easement Maintenance Agreement with AM & JK Development, LLC (Lot 3, Block 1, The Square Addition)--Randy Newsom, Director of Public Works
 - (g) Action regarding the Purchase of Real Property located at 300 W. McLeroy Blvd. and Authorizing the Mayor to execute all documents necessary to complete the purchase upon final approval of the City Manager--Lee Howell, Asst. City Manager
- (5) Presentation of 2022 Economic Development Award of Merit from the Texas Economic Development Council--Todd Flippo, Mayor & Keith Rinehart, Director of Community & Economic Development
- (6) PUBLIC HEARING - Consideration and Action regarding Recommendation from Planning and Zoning Commission on Ordinance No. 2022-20, rezoning nine identified properties to "NMU" Neighborhood Mixed Use Zoning in the City of Saginaw, Texas, more specifically described as: Approximately 1.7 acres, Saginaw Springs, Block 2, Lot 30 Commercial Tract 2; Approximately 4.6 acres, Albright, Alexander F. Survey Abstract 1849 Tract 2C04; Approximately 12 acres, Albright, Alexander F. Survey Abstract 1849 Tract 2C; Approximately 1.4 acres, Idea Schools Addition Block A Lot 1; Approximately 10.6 Acres, Idea Schools Addition Block A Lot 2; Approximately 0.2 Acres, Albright, Alexander F. Survey Abstract 1849 Tract 3A; Approximately 4.0 Acres, Albright, Alexander F. Survey Abstract 1849 Tract 3H05; Approximately 22.2 Acres, Alford, James P. Survey Abstract 53 Tract 2A City Boundary Split; and Approximately 3.1 Acres, Alford, James P. Survey Abstract A 53 Tract 1K; and Revising the Official Zoning Map--Abra Nusser, Peloton Land Solutions & Salvador Gonzalez, Management Analyst
- (7) PUBLIC HEARING - Consideration and Action regarding Recommendation from Planning and Zoning Commission on Ordinance No. 2022-29, rezoning property described as approximately 15.2 acres out of the Albright, Alexander F. Survey, Abstract 1849, Tract 3H from Community Commercial

(CC) Zoning to "NMU" Neighborhood Mixed Use Zoning; and revising the official zoning map--Abra Nusser, Peloton Land Solutions & Salvador Gonzalez, Management Analyst

- (8) Consideration and Action regarding Acquisition of 2.1838 acre tract of land situated within the B. Thomas Survey, Abstract No. 1497 from Bonner Carrington in exchange for the waiver of certain building permit fees--Randy Newsom, Director of Public Works
- (9) Consideration and Action regarding Amending the Food Truck Park Fees, and Amending the Master Fee Schedule (Ordinance No. 2022-28)--Councilmember Felegy and Councilmember Mary Copeland
- (10) Consideration and Action regarding Resolution No. 2022-25, Saginaw Home Improvement Program Implementation--Doug Spears, Fire Chief, Larry Little, Chief Building Official, & Salvador Gonzales, PW Management Analyst
- (11) City Manager/Personnel Matters--Councilmember Tucker & Councilmember Bighorse
- (12) **Executive Session--The City Council may take action on any Executive Session item posted.**

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
- (b) 400 S. Saginaw Blvd. & 405 S. Belmont St.

551.072 Texas Government Code.

Deliberations Regarding Real Property The City Council may convene in executive session to deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person, including the following matters:

- (a) 400 S. Saginaw Blvd. & 405 S. Belmont St.

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) 400 S. Saginaw Blvd. & 405 S. Belmont St.

(13) Adjournment--Todd Flippo, Mayor

Posted:

Date: 12-2-2022

Time: 9:25 am

By: [Signature]

Removed:

Date: 12-7-2022

Time: 11:00 am

By: [Signature]

**CITY OF SAGINAW
CITY COUNCIL MEETING
AND PUBLIC HEARING
HELD AT THE SAGINAW CITY HALL
333 W. MCCLEROY BLVD.
DECEMBER 6, 2022**

Present at the meeting:

Mayor	Todd Flippo
Mayor Pro-Tem	Valerie Junkersfeld
Councilmember	Paul Felegy
Councilmember	Charles Tucker
Councilmember	Cindy Bighorse
Councilmember	Mary Copeland
City Attorney	Bryn Meredith
City Engineer	Trenton Tidwell, P.E.
Asst. City Manager	Lee Howell
Finance Director	Kim Quin
City Secretary	Janice England
Asst. Police Chief	Brandon Badovinac
Fire Chief	Doug Spears
Director of Public Works	Randy Newsom
Dir. of Community & Eco. Dev.	Keith Rinehart
Library Director	Ellen Ritchie
Communications Manager	Pedro Zambrano
Management Analyst	Salvador Gonzalez
Recreation Services Manager	Vickie Weldon
Switchyard Coordinator	Jenn Weldon

Absent from the meeting:

Councilmember	Nicky Lawson
City Manager	Gabe Reaume
Police Chief	Russell Ragsdale
Director of Human Resources	Melanie McManus

Visitors at the meeting:

Wil Cuadros	Lori Cuadros
Byzaltugue Bideri	Michael Arbuckle
Marty Radar	Chris Capehart
Randy Mauger	John Peet
John Peet Jr.	Jesse Cupeland
Brack St. Clair	Adam Burke
Cassie Melber	Gabe Melber
Chris Myers	Rosa Rosales
Fernando Nunez	Michael Day
Rick Russell	Lee Limoges
Kelly Stewart	Brennan Plemons
Jamie White	Jonathan Reames

(1) Call to Order

Mayor Flippo called the meeting to order at 6:00 p.m. with a quorum present.

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, November 15, 2022

b. Action regarding Cancellation of December 20, 2022 City Council Meeting

Summary: Due to the upcoming Christmas Holidays, and the fact that there are no pending items for the December 20, 2022 City Council Meeting, it is suggested that the meeting be cancelled.

c. Action regarding Resolution No. 2022-24, Amending Resolution No. 2022-23, Approving the 2022-48th Year Community Development Block Grant Project Award of Contract by Tarrant County

Summary: As you will recall at the last Council Meeting, the City Council approved Resolution No. 2022-23, recommending the award of the contract for the 2022-48th Year Community Development Block Grant Project to Tarrant County. Tarrant County has requested that the Resolution be amended to include the amount of the City's funding pledge for the project. Resolution No. 2022-24 is basically the same as the original resolution with the addition of the City's pledged funding amount which is \$399,633.

d. Action regarding Funding Interlocal Agreement with Tarrant County for Wagley Robertson Road Reconstruction (Construction Phase)

Summary: The proposed Interlocal Agreement (ILA) with Tarrant County will provide for County participation in the construction of the project in the amount of \$150,000. The funds will be available on a reimbursable schedule (\$60,000-4th quarter of 2022, and \$90,000-1st quarter of 2023).

e. Action regarding Individual Project Order with Kimley-Horn and Associates for ADA Transition Plan Phase 4B—Intersection and Sidewalk Evaluation

Summary: The proposed Individual Project Order (IPO) is for the ADA Transition Plan Phase 4B—Intersection and Sidewalk Evaluation. The total lump sum fee for this IPO is \$80,000. This amount is budgeted in the Public Services Budget, Capital Outlay/Special Request Account 01-7000-06.

f. Action regarding Drainage Easement Maintenance Agreement with AM & JK Development, LLC (Lot 3, Block 1, The Square Addition)

Summary: The proposed Drainage Easement Maintenance Agreement with AM & JK Development, LLC addresses the maintenance of drainage areas that are being primarily left in their natural state. The agreement requires the owner, successors and assigns to provide perpetual maintenance of the drainage easement as described in Exhibit "A-1" of the agreement. Additionally, the agreement gives the City the ability to take action if the property owner fails to maintain the easement and recover its costs through a lien on the property.

g. Action regarding the Purchase of Real Property located at 300 W. McLeroy Blvd. and Authorizing the Mayor to execute all documents necessary to complete the purchase upon final approval of the City Manager

Summary: This item is for approval of the City's purchase of the property at 300 W. McLeroy Blvd. It authorizes the Mayor to execute the necessary documents to complete the purchase. Funding for this purchase will come from the American Rescue Plan Act (ARPA) Funds.

Mayor Flippo stated that Item 4d would be pulled from the Consent Agenda for discussion.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Tucker to approve Items 4a, 4b, 4c, 4e, 4f, and 4g as presented. Motion carried unanimously. 6-0-0-1

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

Against: None

Abstain: None

Absent: Councilmember Lawson

The Council considered Item 4d. Action regarding Funding Interlocal Agreement with Tarrant County for Wagley Robertson Road Reconstruction (Construction Phase).

Michael Arbuckle expressed his concern regarding the proposed traffic signal and the number of existing traffic signals in this area. Director of Public Works Newsom explained that plans for this area are not finished. City Engineer Tidwell stated that this concern would be considered when the final plans are submitted.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Tucker to approve Item 4d as presented. Motion carried unanimously. 6-0-0-1

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

Against: None

Abstain: None

Absent: Councilmember Lawson

(5) Presentation of 2022 Economic Development Award of Merit from the Texas Economic Development Council

Director of Community and Economic Development Rinehart announced that the City of Saginaw has been recognized by the Texas Economic Development Council and awarded a Community Economic Development Award of Merit in the Business Retention Category for our Building Improvement Grant Program. Mayor Flippo presented the award to him.

- (6) PUBLIC HEARING – Consideration and Action regarding Recommendation from Planning and Zoning Commission on Ordinance No. 2022-20, rezoning nine identified properties to “NMU” Neighborhood Mixed Use Zoning in the City of Saginaw, Texas, more specifically described as: Approximately 1.7 Acres, Saginaw Springs, Block 2, Lot 30 Commercial Tract; Approximately 4.6 acres, Albright, Alexander F. Survey Abstract 1849 Tract 2C04; Approximately 12 acres, Albright, Alexander F. Survey Abstract 1849 Tract 2C; Approximately 1.4 acres, Idea Schools Addition Block A Lot 1; Approximately 10.6 acres, Idea Schools Addition Block A Lot 2; Approximately 0.2 acres, Albright, Alexander F. Survey Abstract 1849 Tract 3A; Approximately 4.0 acres, Albright, Alexander F. Survey Abstract 1849 Tract 3H05; Approximately 22.2 acres, Alford, James P. Survey Abstract 53 Tract 2A City Boundary Split; and Approximately 3.1 acres, Alford, James P. Survey Abstract A 53 Tract 1K; and Revising the Official Zoning Map

Mayor Flippo declared the public hearing for this item opened at 6:12 p.m. Ms. Abra Nusser of Peleton Land Solutions briefly explained the proposed rezoning and recommended that Item 6 and Item 7 be tabled to allow time for clarifications of the proposed NMU zoning use. Mr. Jesse Cupeland, representing the owners of Property #9 expressed the property owner’s opposition to the proposed rezoning. Mr. Michael Arbuckle expressed his concern over additional traffic that the proposed zoning would create. Mr. Chris Capehart, owner of Property #2, expressed his support of the proposed zoning. Mr. John Peet suggested a town hall meeting be held to get public input on the proposed rezoning. It was also pointed out that a portion of Property #5 is already developed. Mayor Flippo called for any additional public comment. There was none. He closed the public hearing at 6:51 p.m.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Tucker to table Item No. 6 indefinitely. Motion carried unanimously. 6-0-0-1

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

Against: None

Abstain: None

Absent: Councilmember Lawson

Note: Councilmember Felegy left the Council Chambers as this time due to a Conflict of Interest with Item No. 7.

- (7) PUBLIC HEARING - Consideration and Action regarding Recommendation from Planning and Zoning Commission on Ordinance No. 2022-29, rezoning property described as approximately 15.2 acres out of the Albright, Alexander F. Survey, Abstract 1849, Tract 3H from Community Commercial (CC) Zoning to “NMU” Neighborhood Mixed Use Zoning; and Revising the Official Zoning Map

Mayor Flippo declared the public hearing for this item opened at 6:52 p.m. Ms. Nusser explained this item is the same as Item No. 6 and recommended tabling the item indefinitely. Mr. Peet encouraged the Council to table this item. Mayor Flippo called for any additional public input. There was none. He closed the public hearing at 6:53 p.m.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to table Item No. 7 indefinitely. Motion carried. 5-0-1-1

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

Against: None

Abstain: Councilmember Felegy

Absent: Councilmember Lawson

Note: Councilmember Felegy returned to the Council Chambers following Item No. 7.

- (8) Consideration and Action regarding Acquisition of 2.1838 acre tract of land situated within the B. Thomas Survey, Abstract No. 1497 from Bonner Carrington in exchange for the waiver of certain building permit fees

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Felegy to approve the acquisition of the 2.1838 acre tract land situated within the B. Thomas Survey, Abstract No. 1497 from Bonner Carrington in exchange for the waiver of certain building permit fees. Motion carried unanimously. 6-0-0-1

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

Against: None

Abstain: None

Absent: Councilmember Lawson

- (9) Consideration and Action regarding Amending the Food Truck Park Fees, and Amending the Master Fee Schedule (Ordinance No. 2022-28)

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Tucker to approve amending the Switchyard food truck park fees to \$25 for market days and special events, and approve Ordinance No. 2022-28, amending the Master Fee Schedule to reflect the amended fees. Motion carried unanimously. 6-0-0-1

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

Against: None

Abstain: None

Absent: Councilmember Lawson

- (10) Consideration and Action regarding Resolution No. 2022-25, Saginaw Home Improvement Program Implementation

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to approve Resolution No. 2022-25, Saginaw Home Improvement Program as presented. Motion carried unanimously. 6-0-0-1

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

Against: None

Abstain: None

Absent: Councilmember Lawson

(11) City Manager/Personnel Matters

The Council discussed and expressed various concerns regarding City Manager Reaume's trip to Cambodia to participate in the 2022 YSEALI Summit.

Mr. Rick Russell addressed the Council. He expressed his concern regarding the costs associated with the Sister City Program and the City providing an all expenses paid trip for a delegation from Banjul, The Gambia to visit Saginaw. He also stated that he participated in the original Citizen Summit in 2018. He expressed his concern that since that time several surveys have been done at the City's expense asking the same basic questions and getting the same answers. He encouraged the Council to be good stewards of the City's funds.

Mr. John Peet addressed the Council. He expressed his concern about the trip to Cambodia as well as the amount paid for the Gambia delegation to visit Saginaw.

Note: Mayor Pro-Tem Junkersfeld left the meeting at this point due to a conflict of interest with Item No. 12.

(12) Executive Session

1 § 551.071. 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:

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- a. 400 S. Saginaw Blvd. & 405 S. Belmont St.

Mayor Flippo declared the meeting recessed into Executive Session at 7:44 p.m.

Mayor Flippo declared the meeting back in Regular Session at 7:57 p.m.

(13) Adjournment

Motion was made by Councilmember Tucker with a second by Councilmember Bighorse to adjourn the meeting. Motion carried unanimously. 5-0-0-2

For: Mayor Flippo, Councilmembers Felegy, Tucker, Bighorse, and Copeland

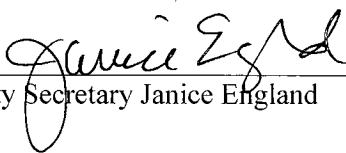
Against: None

Abstain: None

Absent: Mayor Pro-Tem Junkersfeld and Councilmember Lawson

Mayor Flippo declared the City Council Meeting of December 6, 2022 adjourned at 7:58 p.m.

ATTEST:


City Secretary Janice England

APPROVED:


Mayor Todd Flippo

