

Minutes for the City Council meeting

333 West McLeroy Boulevard, Saginaw, Texas, 76179.

September 5, 2023, 6:01 PM - September 5, 2023, 9:02 PM

Roll Call: (The following members were in attendance)

Todd Flippo, Mayor
Cindy Bighorse, Place 5
Mary Copeland, Place 6
Randy Edwards, Place 4
Paul Felegy, Place 1
Valerie Junkersfeld, Mayor Pro Tem
Nick Lawson, Place 2

1. Call To Order

1A. Call To Order -- Todd Flippo, Mayor - 6:01 PM

Mayor Flippo called the meeting to order at 6:01 p.m.

Present:

City Attorney Bryn Meredith
City Manager Gabe Reaume
Asst. City Manager Lee Howell
Finance Director Kim Quin
City Secretary Janice England
Police Chief Russell Ragsdale
Asst. Fire Chief Scott Craver
Director of Public Works Randy Newsom
Director of Human Resources Melanie McManus
Director of Community & Economic Development Keith Rinehart
Library Director Ellen Ritchie
Communications Manager Pedro Zambrano
Chief Building Official Larry Little
Environmental/Drainage Manager Matt Regan
Animal Service Manager Jose Wheeland
Police Officer Osteen

Absent:

City Engineer Trenton Tidwell, P.E.
Fire Chief Doug Spears

Visitors:

Linda Williams
Glenn Reeves
Breanna Farley
Brian Miller
Jennifer Calvert
Joe Stout
Ronnie Horton
Mark Towns
Angela Hines
Brack St. Clair
Kevin Martin
Megan Le
Doug Goff
Corey Burnett

1B. Pledges--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" - 6:01 PM

1C. Invocation--Pastor Joe Rangel, SOBA Church - 6:01 PM

In the absence of Pastor Rangel, Pastor Mark Towns of the First Baptist Church gave the invocation.

1D. Audience Participation--Anyone wishing to speak during the discussion of an item listed on the agenda must complete an audience participation form. These forms are located by the Police Chief. After completing the form, give it to the City Secretary. She will give it to the Mayor. The Mayor will call on you when that item is discussed. You will have three (3) minutes to make your comments. - 6:01 PM

2. Consent Agenda

All items listed 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.

Valerie Junkersfeld made a motion to Approve that was seconded by Paul Felegy with a result of 7-0-0-0

2A. Action regarding Minutes, August 8, 2023--Janice England, City Secretary - 6:03 PM

The minutes of the August 8th City Council are presented for consideration.

2B. Action regarding Interlocal Agreement with Fort Worth Transportation Authority ("Trinity Metro") for Tarrant County Transportation Services for the Elderly and Persons with Disabilities for the Period of October 1, 2023 through September 30, 2024--Keith Rinehart, Director of Community & Economic Development - 6:05 PM

The proposed Interlocal Agreement with the Fort Worth Transportation Authority ("Trinity Metro") for Tarrant County Transportation Services is for the period of October 1, 2023 through September 30, 2024. The agreement provides transportation one day per week which is Monday. Qualifying residents are entitled to a one-way trip fare of \$2.50. The annual cost for the City's participation is \$1,795. There is no additional cost because funding has been granted to Trinity Metro by the Federal Transit Administration under Section 5310 of Title 49 of the United States Code. The goal of the Section 5310 program is to provide transportation for elderly and disabled persons residing in cities that do not have public transportation available to them. Funds for this expenditure are budgeted in the Community Services Budget, Senior Center Programs, Account 01-5235-0800.

****THIS ITEM WAS REMOVED FROM THE CONSENT AGENDA.**

Additional options for transportation were briefly discussed. The Council directed staff to obtain more information regarding potential options for additional services and costs for consideration at a future Council Meeting. Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to approve the Interlocal Agreement with the Fort Worth Transportation Authority as presented. Motion carried unanimously. 7-0-0-0

2C. Action Regarding Renewal of an Interlocal Agreement to Provide Animal Control Services to the City of Blue Mound--Lee Howell, Asst. City Manager - 6:14 PM

Councilmember Copeland left the Council Chambers at this point in the meeting due to a conflict of interest. Beginning with FY2019-20, Saginaw has maintained an Interlocal Agreement with the City of Blue Mound to provide animal control services. The City of Blue Mound seeks to renew this contract and agrees to a 100% increase in the annual contract fee. Blue Mound has paid \$1,500 annually since the initial agreement was approved. Blue Mound has agreed to increase the annual contract fee to \$3,000 for FY2023-2024. In addition, Saginaw collects all adoption and associated fees from animals impounded or owner surrendered from Blue Mound. Adoption fee recovery ranges from \$100 to \$135, depending on the species and size of the animal, and typically cover the cost for: sterilization, adoption fees, microchip, heartworm testing, rabies vaccinations, dewormer, and booster shots. These fees total on average \$3,000 in additional revenue annually.

**** Item was Removed from Consent**

Randy Edwards made a motion to Approve that was seconded by Paul Felegy with a result of 6-0-1-0 Abstained by Mary Copeland Motion was made by Councilmember Edwards with a second by Councilmember Felegy to approve the Interlocal Agreement to provide Animal Control Services to the City of Blue Mound. Motion carried. 6-0-1-0 (Councilmember Copeland abstained due to a conflict of interest.)

2D. Action regarding Service Vehicle Replacement for Building and Code Compliance Department--Doug Spears, Fire Chief - 6:03 PM

The 2023/24 adopted budget includes the purchase of a replacement vehicle for the Building and Code Enforcement Department. The current vehicle, a 2017 Ford Escape, has been removed from service due to air bag

equipment failure rendering it unsafe for use. The cost for airbag system repair coupled with the considerable amount of repair costs and downtime this vehicle has historically required makes the case for not pursuing air bag system repair and replacing the vehicle now as opposed to waiting until after October 1st. This vehicle is primarily used by our Code Compliance Manager and undergoes a lot of daily use. Having the current vehicle removed from service has a significant impact on code compliance activities necessitating sooner rather than later replacement. Staff has located and acquired three quotes for like vehicles (Moritz Chevrolet - \$33,888; Bruce Lowrie Chevrolet - \$35,439; Five Star Chevrolet - \$34,591). Staff recommends approval of the purchase of a Chevy Colorado, a mid-size vehicle, from Moritz Chevrolet. This will continue the intent of standardizing the fleet in the department with the same manufacturer and model vehicles. The Colorado is an economical vehicle that meets the needs of the department duties and activities. The total included in the 2023/24 budget for a replacement vehicle is \$44,000. There will be some necessary upfitting of the vehicle including graphics, tool box, floor mats, etc. The overall price will remain well below the budgeted amount. The vehicle and upfitting will be purchased in the current fiscal year using Fund Balance. The 2023/24 budgeted funds will not be expended but will adjusted to reflect the vehicle purchase.

3. Proclamations-Presentations

3A. Proclamation for the Small Business Administration Recognizing their 70th Anniversary--Keith Rinehart, Director of Community & Economic Development - 6:22 PM

Mayor Flippo read a proclamation declaring September 5, 2023 to be Small Business Administration Day in the City of Saginaw. Ms. Linda Williams, Small Business Administration Economic Development Specialist, addressed the Council. She thanked the Council for their support and briefly explained the programs and services available through the Small Business Administration. Mayor Flippo presented the proclamation to Ms. Williams.

3B. Discussion of Safety Concerns regarding School Related Traffic--Russell Ragsdale, Police Chief - 6:28 PM

Police Chief Ragsdale updated the Council on school related traffic including the International Leadership of Texas, Wayside Middle School, Willow Creek Elementary, and Saginaw High School. Possible solutions to alleviate the traffic issues were discussed. City Attorney Meredith explained that the Texas Legislature took action in the spring that gives charter and private schools the same authority as the public school districts. Therefore the City has no authority over the schools. The City only has authority over traffic which presents an issue itself due to the current shortage of officers. Mr. Brian Miller and Mr. Kevin Martin, both residents of Saginaw, expressed their concern regarding the traffic and safety issues created by the school traffic. Police Chief Ragsdale stated that the Police Department will continue to work on these issues.

4. Public Hearings

No Items

5. Business

5A. Consideration and Action regarding Employee Survey--Melanie McManus, Director of Human Resources - 7:10 PM

An employee survey is one of the 2023 Work Plan Projects. On June 6, 2023 the City Council approved a contract with OnPointe Insights to conduct the survey. Mr. Ron Gailey of OnPointe Insights joined the meeting by video. He gave a brief overview of the proposed survey. There was discussion regarding ensuring that the responses are completely anonymous. It was agreed to remove the employee status question and also remove the department question. It was also agreed to add an optional comment box at the end of the survey. It was agreed that the survey results be released to the Mayor and Council first. Following the release, a workshop will be scheduled to review the results in open session. An incentive for departments having 90% participation was discussed. Staff is to recommend an appropriate incentive for consideration.

Valerie Junkersfeld made a motion to Approve that was seconded by Cindy Bighorse with a result of 6-1-0-0 Opposed by Randy Edwards

5B. Consideration and Action regarding First Amendment to Fort Worth City Secretary Contract No. 49683, An Interlocal Agreement between City of Fort Worth and Saginaw for Participation in the Environmental Collection Center Household Hazardous Waste Program--Matt Regan, Environmental/Drainage Manager - 7:52 PM

This item was tabled at the August 15, 2023 City Council Meeting.

null made a motion to null that was seconded by null with a result of 7-0-0-0

Motion was made by Councilmember Lawson with a second by Councilmember Edwards to approve the First Amendment to Fort Worth City Secretary Contract No. 49683, an Interlocal Agreement between Fort Worth and Saginaw for participation in the Environmental Collection Center Household Hazardous Waste Program. Motion carried unanimously. 7-0-0-0

5C. Consideration and Action regarding requirement of Multi-pet permit, and permit for Fostering of dogs and cats-- Joe Stout, Chairman of the Animal Shelter Advisory Committee - 7:53 PM

Mr. Joe Stout, Chairman of the Animal Shelter Advisory Committee, gave an overview of the recommended changes to existing ordinances. The changes are regarding the regulations and permitting of "multi-pet" ownership, and "fostering" of pets in the City. There was some discussion. The Council directed City Attorney Meredith to prepare an ordinance reflecting the recommended changes for action at the next City Council Meeting.

Paul Felegy made a motion to Approve that was seconded by Mary Copeland with a result of 7-0-0-0

5D. Consideration and Action regarding Ground Lease with Triton Saginaw, LLC for Property at 400 S. Saginaw Blvd. and 405 S. Belmont St.--Bryn Meredith, City Attorney - 8:39 PM

Mayor Pro-Tem Junkersfeld left the Council Chambers at this point in the meeting due to a conflict of interest. Due to Items 5D and 5E being related, these items were discussed together. City Attorney Meredith gave an overview of the proposed Ground Lease and the proposed Chapter 380 Agreement with Triton Saginaw, LLC (Company) for the property at 400 S. Saginaw Blvd. and 405 S. Belmont St. They were as follows.

Ground Lease:

1/4 acre required to be leased due to this particular portion having been a park

39 year lease

\$100 per year with an increase of \$100 every five years

Leased premises can only be used for parking and landscaping

Triton Saginaw, LLC will be responsible for paying the ad valorem taxes annually on a timely basis

Chapter 380 Agreement:

The remainder of the property can be sold in order to develop the property. No record was found that indicated the land was ever a dedicated park.

Conveyance of the property will be no sooner than ninety (90) days from the execution of the Chapter 380 Agreement.

If Triton Saginaw, LLC wants title insurance, they will be responsible for securing it.

Conveyance of an older model fire truck no later than June 1, 2024. (Conservative estimate based on when Fire Department expects to accept delivery of a new truck.)

Company must build two of three restaurants in their group of restaurants. One restaurant is required to be Twisted Root.

Company must develop two restaurants, a beer garden and stage the sooner of 12 months following conveyance or December 31, 2024. Anticipated completion is December 31, 2024.

Company is required to make a capital investment on the property of no less than \$2.5 million. They must secure their own lending.

Once substantial completion occurs, the company is entitled to receive a grant payment from the City for the costs of utility improvements in the amount of \$150,000 if three restaurants are built or \$100,000 if two restaurants are built.

City agrees to waive all building permit fees upfront for initial construction (not an ongoing indefinite waiver).

If substantial completion is not met by the deadline, there is no reverter for the title to the property if company fails to meet the guidelines. Reason for this is a reverter will prevent them from obtaining bank funding.

Protections for the City include (1) the approved Planned Development Zoning on the property and development plan which designates what is permissible to be placed on the property; and (2) a liquidated damages clause in the agreement that requires the company to pay the City \$2,000,000 and all unpaid building permit fees plus interest if they don't meet the deadline of December 31, 2024.

City Attorney Meredith pointed out that Triton Saginaw, LLC is a limited liability company and their ability to pay liquidated damages will be affected by any liquidity issues and bankruptcy.

Mayor Flippo declared the meeting recessed into Executive Session at 8:15 p.m. pursuant to 551.087 Texas Government Code. Consultation with Attorney.

Mayor Flippo declared the meeting back in Regular Session at 8:39 p.m.

Paul Felegy made a motion to Approve that was seconded by Nick Lawson with a result of 6-0-1-0 Abstained by Valerie Junkersfeld
Motion was made by Councilmember Felegy with a second by Councilmember Lawson to approve Item 5D, Ground Lease with Triton Saginaw , LLC, and Item 5E, Chapter 380 Agreement with Triton Saginaw, LLC for the property at 400 S. Saginaw Blvd. and 405 S. Belmont St. Motion carried. 6-0-1-0 (Mayor Pro-Tem Junkersfeld abstained due to a conflict of interest)

5E. Consideration and Action regarding Chapter 380 Agreement with Triton Saginaw, LLC--Bryn Meredith, City Attorney -

Consideration and action of this item was included with Item 5D.

5F. Consideration and Action regarding the use of Parks Donations Fund for 2023 Holiday Drone Show--Pedro Zambrano, Communications Manager - 8:41 PM

FlyLight Drone Shows provides municipalities with drone shows for events. Last year they were the vendor for the 2022 Holiday Parade and Christmas Tree Lighting Ceremony. The cost for drone show for the 2023 event will be \$24,000 which includes 150 drones. The Advisory Recreation and Parks Board voted to have the 2023 Holiday Parade and Christmas Tree Lighting Ceremony on Saturday, December 2, 2023. The Board also voted unanimously to recommend the use of \$24,000 from the Parks Donation Fund for the drone show.

null made a motion to null that was seconded by null with a result of 7-0-0-0

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to approve the use of \$24,000 from the Parks Donation Fund for the 2023 Holiday drone show as proposed. Motion carried unanimously. 7-0-0-0

5G. Consideration and Action regarding an Employee Retention Incentive--Doug Spears, Fire Chief & Kim Quin, Finance Director - 8:50 PM

During budget discussions the City Council expressed an interest in granting one-time retention incentive payments to City employees with the intention of providing a meaningful impact to lower wage earners while recognizing all employees. The proposed plan calculates one-time payments based on salary ranges with the lowest salary ranges receiving the highest retention incentives. Full time employees will receive a one-time payment equal to 12.38% to 0.35% (\$4,955 to \$758) of their budgeted salary and part time employees will receive \$2,000. All payments will be subject to payroll taxes, TMRS, and federal withholding deductions. The retention incentive payments will be paid to employees with one or more years of service in October. Employees with less than one year of service will be paid 50% at six months and 50% at one year of employment. The estimated cost of the retention incentive payments is \$502,153.

Randy Edwards made a motion to Approve that was seconded by Paul Felegy with a result of 7-0-0-0

5H. Consideration and Action regarding Employee Incentive Program--Melanie McManus, Director of Human Resources - 8:55 PM

An Employee Incentive Program was considered. The program would encourage employees to submit cost saving suggestions and safety suggestions. Following a brief discussion, the Council directed staff to move forward with the program and bring back the final document and details to a future Council Meeting for action.

6. Executive Session

The City Council may take action on any Executive Session item posted.

6A. 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: -

6B. Any Posted Item -

6C. 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: - 8:15 PM

6D. 400 S. Saginaw Blvd. and 405 S. Belmont St. -

Motion was made by Councilmember Felegy with a second by Councilmember Edwards to adjourn the meeting.
Motion carried unanimously. 7-0-0-0

Mayor Flippo declared the meeting adjourned at 9:03 p.m.

7. Adjournment

No Items