

**DUNCANVILLE CITY COUNCIL MEETING MINUTES
REGULAR MEETING
TUESDAY, SEPTEMBER 20, 2016**

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, September 20, 2016, at 6:00 p.m. in the Council Briefing Room at City Hall with a quorum to wit:

David L. Green	Mayor	
Dennis L. Schwartz	Councilmember, District 1	
Steven Rutherford	Mayor Pro Tem, District 2	
Leslie Thomas	Councilmember, District 3	
Ron Dotson	Councilmember, District 4	Arrived at 6:20 p.m.
Johnette Jameson	Councilmember, District 5	Arrived at 6:06 p.m.
Patrick Harvey	Councilmember, At-Large	

WORK SESSION/BRIEFING ITEMS

Item No. B-1 Discuss Agenda Items

Mayor Green read the item into record and City Manager Hugman reviewed each item. Discussion included: Item No. 4C – provide savings by splitting cost with four cities instead of three, small additional cost for supplies, can revisit agreement in future and opt out with notice, for regional emergency management and disaster response; Item No. 5D – Affidavit of Conflict filed not necessary, Councilmember Schwartz preferred to recuse himself; Item No. 5G – six capstones adopted at the 2015 retreat, 2016 retreat will establish capstones for FY17-18; Item No. 5H - Fieldhouse, currently have one dehumidifier on each court, installed 2009-2010, currently no moisture/vapor barrier, Councilmember Schwartz requested Payment Performance Bond, Councilmember Jameson requested extended warranty and City Manager sign contract, Mayor Green requested City Attorney Hager provide appropriate motion wording; Item No. 5J – do not have to exercise right to vote but if no vote, lose ability to influence Board of Directors, Councilmember Harvey requested vote be for all incumbents, Mayor Green requested City Attorney Hager provide appropriate motion wording.

Item No. B-2A Discuss proposed Business Beautification Award guideline revisions from Keep Duncanville Beautiful

Mayor Green read the item into record. Parks Superintendent Hamilton presented proposed change to Curb Appeal and Business Beautification Awards, specifically eliminate the guideline dictating church properties and other non-profits not being eligible; 4B funds not legally able to be spent on a non-profit; plaques would come from the Parks & Recreation General Fund budget; policy issue between church and state; support of non-profit being seen as support of their mission rather than City Council mission; support of one non-profit over another; non-profits competing with all other businesses. Following discussion, Staff noted that a Resolution will be presented at the October 18th meeting for consideration.

The briefing session adjourned at 6:52 p.m.

REGULAR SESSION – CONVENE INTO THE COUNCIL CHAMBERS

The City Council convened into Regular Session in the Council Chambers at 7:04 p.m. with Mayor Green presiding.

The Invocation was led by Reverend Ginger Hertenstein, First Presbyterian Church Duncanville.

The Pledge of Allegiance and Texas Pledge were led by Mayor Green.

REPORTS

Item No. R-1A Mayor's Report

Mayor Green spoke regarding DuncanSwitch starting again after being rained out the previous month; the Hispanic Festival in the Park last Saturday; and the need to continue the celebration of good things in Duncanville i.e. "Community In Unity" Festival on October 29th; and the Tri-City Animal Shelter dinner/auction to raise funds for the Center which was held on Saturday, September 17th. He stated the Mayors' basket auction among Cedar Hill, DeSoto, and Duncanville Mayors had become quite a competition. This year's Duncanville basket was so large it had to be put on a wagon and wrapped. All

three baskets were auctioned at the same time with the highest bid being \$1,300.00. The high bidder lived in Cedar Hill but wanted the Duncanville basket. We are very appreciative to Pat Weaver who gathered the items for the basket and to City Secretary Jones who wrapped and made a beautiful presentation.

Item No. R-1B Councilmembers' Reports

Councilmember Thomas spoke regarding the Heart of Duncanville 5K Race to be held on October 8 to benefit the Duncanville Independent School District and the Duncanville Education Foundation. Cost is \$20 for the race or \$12 for one mile, the event is well attended, and there will be music and giveaways. She advised more information can be found at HeartofDuncanville5K.com or to sign up at Ben Franklin's or Luke's Locker. She looks forward to seeing everyone there.

Councilmember Harvey acknowledged the Caravan Immunization Clinic held at the Trinity United Methodist Church on September 20 for children ages 18 and under, and thanked them for serving their community.

Mayor Pro Tem Rutherford spoke regarding the October 4th National Night Out event sponsored by the Duncanville Police Department to be held at the Duncanville Recreation Center on James Collins from 4:00 p.m. to 8:00 p.m., and encouraged everyone to attend.

Councilmember Jameson spoke regarding the basket auctioned at the Tri-City Animal Shelter and noted that it was funny the auctioneer assumed the high bidder wanted the Cedar Hill basket, and thought it might come to dukes over the Duncanville basket.

Item No. R-1C City Manger's Report

City Manager Hugman spoke regarding upcoming road closures. TxDOT will be performing soil borings at Main Street and U.S. Highway 67 on the inside lanes on Main Street and will have barricades up on September 21 from 9:00 a.m. to 3:00 p.m. in preparation for the construction of the US 67 widening project. This information will be disseminated via a press release and our website. Also, Street Department crews will also be closing the eastbound lane of Camp Wisdom Road at Main Street on September 27 to level the pavement around the railroad tracks.

PROCLAMATIONS AND PRESENTATIONS

Item No. R-2A Proclamation designating the month of September 2016 as Blood Cancer Awareness month in Duncanville

Mayor Pro Tem Rutherford read the item into record. The Proclamation was presented on behalf of the City Council by City Manager Hugman.

Item No. R-2B Proclamation recognizing October 2016 as Domestic Violence Awareness Month

Councilmember Jameson read the item into record and presented the Proclamation for Domestic Violence Awareness Month to Crime Victim Advocate Connie Bergara. Crime Victim Advocate Bergara accepted the Proclamation on behalf of the Police Department Staff, mentioned National Night Out on October 4, and thanked the City Council for their support. She then introduced guests Sheritha Smith and her nephew, Storm Malone, who shared their story of domestic violence.

Item No. R-2C Proclamation recognizing October 2016 as National Community Planning Month

Mayor Green introduced City Planner Chasidy Allen and recognized Public Works Director Hasler and stated the city was in the middle of developing its first comprehensive plan with the consulting firm of Freese and Nichols. He then read the item into record and presented the Proclamation for National Community Planning Month to City Planner Chasidy Allen. City Planner Allen accepted the Proclamation on behalf of the Department of Public Works staff and thanked the City Council for their support. She then announced the comprehensive plan website, DestinationDuncanville.com, and encouraged citizens to complete a survey on the website or come to National Night Out, where there will be a booth with additional information. Mayor Green further stated a 12-member committee made up of business professionals had been created, a professional planner hired, and a firm employed to help guide Duncanville through the statistics, but that we need all of our citizens to be involved in looking at the next 20 years, where we want to go, and where we want to be.

CITIZENS INPUT

At this time, two-minute comments will be taken from the audience on any topic. To address the Council, please submit a fully completed request card to the City Secretary prior to the beginning of the Citizens' Input portion of the Council meeting. In accordance with the Texas Open Meetings Act, the City Council cannot discuss issues raised or make any decision at this time. Issues may be referred to City Staff for research and possible future action.

Mayor Green read the item into record. The following spoke during the Citizens Input Period:

Alan Conley, 1214 Wellington – Stated he was in his 14th year as a business owner in Duncanville, owns three restaurants, and requested reconsideration of the new banner ordinance passed on August 16. Specifically, the reduction of 75% of the time allowed for a banner (from 365 days a year to only 90 days); a public forum or a town hall meeting facilitated by the Sign Control Board where citizens and the people who got banners over the last two years can come and speak about different options; the intent of the program; that economic development be involved; appreciate the intent of making Duncanville more attractive but has unintended consequences; our neighbors have strict ordinances but have advantages we don't have; having a very proactive and quality banner program could help attract business; appreciated Council's time and asked for reconsideration of the ordinance.

CONSENT AGENDA ITEMS

Mayor Green requested that Acting City Secretary Caldwell read the Consent Agenda Items.

Item No. 4A Consider the minutes for the September 13, 2016, City Council Regular Meeting.

Item No. 4B Consider a Resolution of the City Council of the City of Duncanville, Texas, authorizing the acquisition of riot/field force equipment from the Defense Reutilization and Marketing Office (DRMO) and authorizing the City Manager or his designee to execute all documents in regards to acquisition of the items including the cost of pickup, packaging, and delivery of said items.

Item No. 4C Consider a Resolution of the City Council of the City of Duncanville, Texas approving the terms and conditions of the Interlocal Agreement by and between the City of Desoto, Texas ("Desoto"), the City of Duncanville, Texas ("Duncanville"), the City of Cedar Hill, Texas, ("Cedar Hill"), and the City of Lancaster, Texas, ("Lancaster"), for services related to shared Regional Emergency Management Operations Coordinator position; authorizing the Mayor to execute said agreement; providing a severability clause; and providing an effective date.

Acting City Secretary Caldwell read the consent items into record. Councilmember Schwartz made a motion to approve the Consent Agenda Items as read. Councilmember Harvey seconded the motion. The vote was cast 7 for, 0 against.

INDIVIDUAL CONSIDERATION

Item No. 5A Consider an Ordinance of the City of Duncanville, Texas, approving and adopting a budget for the City for the Fiscal year October 1, 2016, through September 30, 2107; providing that expenditures for said Fiscal Year shall be made in accordance with said Budget.

Mayor Green read the item into record. Finance Director Summerlin presented the item including fund balance highlights, overview, process and goals. Following the presentation, he provided the required Truth in Taxation specific wording for the motion should Council choose to approve the Ordinance. Mayor Green called for a motion. Mayor Pro Tem Rutherford made the motion, "I move the proposed budget for the City for Fiscal Year October 1, 2016, through September 30, 2017; providing that expenditures for said Fiscal Year shall be made in accordance with said Budget, be adopted. This budget will raise more total property taxes than last year's budget by \$1,102,425 which is a 7.95 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$64,141". Councilmember Jameson seconded the motion. Discussion followed including the increase seen is from commercial revenue going up 2%, and that the economy in Duncanville is turning around, lessening the burden on the homeowner. The vote was cast 7 for, 0 against.

Item No. 5B Consider an Ordinance of the City of Duncanville, Texas, Levying Ad Valorem Taxes for the Year 2017 at a rate of \$0.758447 per one hundred dollars (\$100.00) assessed valuation on all taxable property within the Corporate limits of the City as of January 1, 2016, to provide revenues for current expenses and interest and sinking fund requirements; providing for due and delinquent dates together with penalties and interest; and, declaring an effective date.

Mayor Green read the item into record. Finance Director Summerlin presented the item including the following tax rates: Proposed Tax Rate - \$0.758447 per \$100; Preceding Year's Tax Rate - \$0.758447 per \$100; Effective Tax Rate - \$0.704578 per \$100; and Rollback Tax Rate - \$0.763848 per \$100. Following the presentation, he provided the required Truth in Taxation specific wording for the motion should Council choose to approve the Ordinance. Mayor Green called for a motion. Councilmember Harvey made the motion, "I move that the property tax rate be increased by the adoption of a tax rate of \$0.758447, which is effectively a 7.65 percent increase in the tax rate, be adopted". Councilmember Schwartz seconded the motion. Discussion followed including the motion as read did not include "per hundred tax valuation" after the tax rate, motion read correctly, extra wording not necessary but added for clarity, only 25.7 % of the tax bill goes to Duncanville, daily city services provided equates to \$2.34 per day, at the bottom rung of the tax rate as far as other Best Southwest cities, a one cent tax decrease would equate to three cents per day, trying to catch up our infrastructure requirements, this is a balanced budget. The vote was cast 7 for, 0 against.

Item No. 5C Consider an Ordinance of the City Council of the City of Duncanville, Texas, ratifying the Fiscal Year 2016-2017 Budget which raises more property tax than in the previous year, and providing an effective date.

Mayor Green read the item into record. Finance Director Summerlin presented the item including the requirement of Section 102.007C of the Texas Local Government Code that requires any time there is a budget that raises more revenue from property tax than the previous year that the vote for the adoption of the tax rate must come back and be ratified. Councilmember Harvey made a motion that this Ordinance be ratified. Mayor Pro Tem Rutherford seconded the motion. Discussion followed including this budget addresses the infrastructure of the city, the comprehensive plan and parks master plan is being developed, prefunding the street maintenance program, pipe bursting program, proactive budget, senior level civil service being brought up to 5% lower than the average, mobility, air quality, appreciate the staff working on the budget and making the hard choices. The vote was cast 7 for, 0 against.

Item No. 5D Consider an Ordinance authorizing and allowing, under the Act governing the Texas Municipal Retirement System, "Updated Service Credits" in said system for service performed by qualifying members of such system who presently are members of the City of Duncanville; providing for increased prior and current service annuities for retirees and beneficiaries of deceased retirees of the city; and, establishing an effective date for such actions.

Per Article II, Section 2-54 of the Duncanville Code of Ordinances, though not required, Councilmember Schwartz chose to recuse himself with Affidavit of Conflict on file. Human Resources Manager Otey presented the item including one-time change to the Texas Municipal Retirement System by adding 100% service credit for active employees and 50% COLAs for retirees equating to \$485,491. Councilmember Jameson made a motion to approve the item. Councilmember Dotson seconded the motion. Discussion followed including coincidence of timing for removing service credits and COLA payments with the downturn of the economy in 2008 and the actual cause due to actuarial changes made by TMRS. The vote was cast 6 for, 0 against, with Councilmember Schwartz recusing.

Item No. 5E Consider an Ordinance of the City of Duncanville, Texas, creating Classified Positions under Civil Service in the Police and Fire Departments; providing for a Pay Scale under Civil Service; repealing all Ordinances in conflict herewith; and providing an effective date.

Mayor Green read the item into record. Human Resources Manager Otey presented the item including the creation of classified positions in accordance with the approved step pay plan included in the approved budget. Councilmember Jameson made a motion to approve the item. Mayor Pro Tem Rutherford seconded the motion. Discussion followed including affirming this action takes the civil service positions up to 95% of the average, another \$500,000 would be required to bring these positions up to 100%. The vote was cast 7 for, 0 against.

Item No. 5F Consider a Resolution of the City Council of the City of Duncanville, Texas, approving the adoption of the Master Fee Schedule for FY 2016-2017, which is attached hereto and incorporated herein as Exhibit "A"; providing a repealing clause; providing a severability clause; and, providing an effective date.

Mayor Green read the item into record. Finance Director Summerlin presented the item including rate increases for water, wastewater, and solid waste fees. Councilmember Schwartz made a motion to approve the item. Mayor Pro Tem Rutherford seconded the motion. There was no discussion. The vote was cast 7 for, 0 against.

Item No. 5G Consider a Resolution of the City Council of the City of Duncanville, Texas, adopting the Fiscal Year 2017 Work Plan, and providing an effective date.

Mayor Green read the item into record. Assistant City Manager Smith presented the item including the concept of what should be accomplished in the coming year based on the approved budget focusing on the capstones and five bold steps to build a vibrant and inclusive community. Councilmember Harvey made a motion to approve the item. Councilmember Schwartz seconded the motion. Discussion followed including complimenting the effort of putting the workplan together, business development handbook, performance management system, City Council goals and objectives, performance measures inspect versus expect, contact your Councilmember, Mayor or At-large Councilmember to provide input on the workplan prior to the open meeting/public retreat, and progress of work plan. The vote was cast 6 for, 1 against (Councilmember Jameson).

Item No. 5H Consider a Resolution of the City Council of the City of Duncanville, Texas, authorizing the procurement and installation of replacement maple wood flooring from Ponder Company, Inc., through a Local Government Purchasing Cooperative (BuyBoard) Purchasing Agreement, in the amount of four hundred and eighty six thousand three hundred and eight dollars and zero cents (\$486,308.00), authorizing the City Manager to execute the necessary documents; and, providing for an effective date.

Mayor Green read the item into record. Parks and Recreation Director Stevenson presented the item including the timing of the request, history of the flooring, no vapor/moisture barrier in existing floor, specifications of the proposed new flooring, coordination of operations during installation period, performance payment bond, and Ponder Company, Inc.'s approval of an extended warranty to three years as suggested by Councilmember Jameson. Mayor Green requested City Attorney Hager read the revised wording for the motion as discussed during the Briefing Session:

“Motion to approve a Resolution of the City Council of the City of Duncanville, Texas, authorizing the procurement, installation and replacement wood flooring for the Duncanville Fieldhouse from Ponder Company, Inc., through an Interlocal Purchasing Cooperative (BuyBoard) Purchasing Agreement, in addition a Performance Bond for the installation of the flooring and an extended three (3) year warranty, for a total amount of \$490,878.30, authorizing the City Manager to sign appropriate purchase order and agreement.”

Councilmember Jameson made a motion to approve the item. Councilmember Harvey seconded the motion. There was no discussion. The vote was cast 7 for, 0 against.

Item No. 5I Consider a Resolution of the City Council of the City of Duncanville, Texas, authorizing the procurement of a new Pierce Quint fire apparatus from Siddons-Martin Emergency Group, L.L.C., through a Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Agreement, in an expenditure amount up to nine hundred and forty-nine thousand and forty-nine dollars (\$949,049); authorizing the City Manager to execute the necessary documents; and, providing an effective date.

Mayor Green read the item into record. Fire Chief Rohde stated the existing Quint would continue to be maintained for use as a reserve unit; unit necessary for Duncanville High School and existing/new multi-level buildings; longer aerial ladder, ground ladder, pump, carries water, and hose versus other units which have shorter aerial ladder, limited assortment of ground ladders, and don't carry water; and that prepayment of \$500,000 will result in a \$50,000 reduction in price. Councilmember Harvey made a motion to approve the item. Mayor Pro Tem Rutherford seconded the motion. There was no discussion. The vote was cast 7 for, 0 against.

Item No. 5J Consider Nominations for the election of Places 6-9 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool.

Mayor Green read the item into record. City Manager Hugman explained the Texas Municipal League Intergovernmental Risk Pool is governed by a Board of Trustees made up of members of governing bodies and appointed officials of the governing bodies of the State of Texas and that the Governing body must vote as a body in electing a member for each place. By state law, the City Manager is required to make the nomination. Based on discussions in the Briefing Session, City Attorney Hager supplied the motion, “Consider a motion to cast the City of Duncanville votes for Places 6-9 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool in favor of the current incumbents”. Councilmember Schwartz made a motion to approve the item. Councilmember Dotson seconded the motion. There was no discussion. The vote was cast 7 for, 0 against.

Item No. 5K Ratify City Manager's appointment of Mr. Curtis J. Smith, Jr., to the Civil Service Commission to fill the unexpired term of Sharon White, term to expire October 31, 2018.

Mayor Green read the item into record. City Manager Hugman explained the Fire and Police Departments are Civil Service and governed by Chapter 143 of the Texas Local Government Code. Section 143.006 establishes the requirements for the Civil Service Commission that consists of three members that are appointed by the City Manager but must be confirmed by the governing body. Member Sharon White has been disqualified from serving because she has moved out of the city and due to current business in front of the Commission, it is important the position be filled as quickly as possible. City Manager Hugman stated Mr. Curtis had been previously interviewed for Board appointments, is a retired police officer, and had experience as having been a member of civil service and asked he be ratified to fill the position vacated by Sharon White. Councilmember Harvey made a motion to ratify the City Manager's appointment. Councilmember Schwartz seconded the motion. There was no discussion. The vote was cast 7 for, 0 against.

STAFF AND BOARD REPORTS

Item No. 6A Receive the Economic Development Quarterly Report and Workplan Update.

Mayor Green read the item into record. Economic Development Director James presented the Economic Development Quarterly Report and Workplan Update including sales tax collections; workplan items; business, development and property owner engagement activity; sign grant in the amount of \$4,805.06 for Melcor; Development Incentive Grant in the amount of \$75,000 for Barclay; and miscellaneous activities.

The meeting adjourned at 8:38 p.m.

APPROVED:



MAYOR

ATTEST:



CITY SECRETARY