



# EVERMAN CITY COUNCIL REGULAR MEETING

Tuesday, July 19, 2022 at 6:30 PM

212 North Race Street Everman, TX 76140

## AGENDA

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**1. MEETING CALLED TO ORDER**

**2. INVOCATION**

**3. PLEDGE OF ALLEGIANCE**

**4. CONSENT AGENDA**

A. June 7, 2022 Regular Meeting

June 21, 2022 Regular Meeting

**B.** Financial Report - May 2022

**5. PRESENTATIONS**

**6. CITIZEN'S COMMENTS**

**7. DISCUSSION ITEMS**

A. City of Fort Worth Zoning Commission Case # ZC-22-102 - City Manager Craig Spencer

**B.** Water Infrastructure System status and updates

C. Everman Sports Fields Ordinance & Fee Schedule Amendment - City Manager Craig Spencer

**8. CONSIDERATION AND POSSIBLE ACTION**

A. Approve Resolution #2022-07-02 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS TO ADOPT AND ALLOCATE FUNDS FOR AN OUTDOOR FITNESS COURT AS PART OF THE 2022 NATIONAL FITNESS CAMPAIGN

**9. EXECUTIVE SESSION**

**A.** Section 551.074 - Personnel Matters - Past performance, review and evaluation of the City Manager

**10. CITY MANAGERS REPORT**

**11. MAYOR'S REPORT**

**12. ADJOURN**

I hereby certify that this agenda was posted on the City of Everman bulletin board at or before 5:00 p.m. on Friday July 15, 2022.

/s/ Mindi Parks  
City Secretary

*Citizens may watch city council meetings live on YouTube. A link to the City of Everman YouTube channel is provided on the city website at: [www.evermantx.us/government/citycouncil/](http://www.evermantx.us/government/citycouncil/)*

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- A. Section 551.071 - Pending or Contemplated Litigation or to Seek Advice of the City Attorney.
- B. Section 551.072 - Purchase, Sale, Exchange, Lease, or Value of Real Property.
- C. Section 551.073 - Deliberation Regarding Prospective Gift.
- D. Section 551.074 - Personnel Matters.
- E. Section 551.087- Deliberation Regarding Economic Development Negotiations.
- F. Section 551.089 - Deliberations Regarding Security Devices or Security Audits.

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# EVERMAN CITY COUNCIL REGULAR MEETING

Tuesday, June 07, 2022 at 6:30 PM

212 North Race Street Everman, TX 76140

## MINUTES

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### 1. MEETING CALLED TO ORDER

Mayor Richardson called meeting to order at 6:30pm.

#### PRESENT

Place 1 Linda Sanders

Place 3 Johnnie Allen

Place 4; Mayor Pro-Tem Susan Mackey

Place 5 Judy Sellers

Mayor Ray Richardson

#### ABSENT

Place 2 Kelly Denison

Place 6 Miriam Davila

Kelly Denison joined meeting at 6:47pm.

#### Others Present:

Mindi Parks, City Secretary

Craig Spencer, City Manager

Susanne Helgesen, Finance Director

Landon Whatley, Fire Chief

### 2. INVOCATION

### 3. PLEDGE OF ALLEGIANCE

### 4. CONSENT AGENDA

### 5. PRESENTATIONS

#### A. Recognition of City Engineer Greg Saunders

Mayor presented Greg Saunders, our City Engineer with a nice award for his dedicated service to the City of Everman. Greg Saunders is now retired from TNP (Teague Neal & Perkins) the City's Engineering firm.

### 6. CITIZEN'S COMMENTS

- A. PUBLIC HEARING - The Everman City Council will hold a public hearing to consider an Ordinance of the City of Everman, Texas for the adoption of Water and Sanitary Sewer Impact Fees for in accordance with Texas Local Government Code Chapter 395.

Mayor Richardson opened the Public Hearing at 6:31pm.

Aaron Fricke presented to council what the Impact Fees are and what they would do for the City of Everman. He displayed how these fees are calculated. He also displayed the Land Use Assumptions over the next 10 Years. These would include Population Growth, Potential Development, Land Use Map and Current and future land uses. It is important to show the Projected demands and how will the anticipated population growth impact the City's facilities, which could include Additional water lines, increase water storage, additional water supply/pressure, and additional/larger wastewater lines. He also displayed in the presentation other cities and their Impact Fees to show other cities Impact Fees.

No comments from the citizens

Mayor closed the Public Hearing at 6:48pm.

## **7. DISCUSSION ITEMS**

## **8. CONSIDERATION AND POSSIBLE ACTION**

- A. Approve Ordinance 781 - AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS, ADOPTING IMPACT FEES FOR WATER AND SANITARY SEWER IMPROVEMENTS THAT ARE ATTRIBUTABLE TO NEW DEVELOPMENT IN THE CITY'S PROPOSED WATER AND SANITARY SEWER IMPACT FEE SERVICE AREA; PROVIDING FOR IMPACT FEE COLLECTION AND ACCOUNTING FOR FEES AND INTEREST; PROVIDING FOR IMPACT FEE WAIVERS; PROVIDING FOR SEMI-ANNUAL REVIEW OF IMPACT FEES BY THE CAPITAL IMPROVEMENT ADVISORY COMMITTEE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 2 Denison.  
Voting Yea: Place 1 Sanders, Place 2 Denison, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Mayor Richardson

Motion carried

- B. Resolution #2022-06-01 - RESOLUTION OF THE CITY OF EVERMAN SUSPENDING THE JUNE 17, 2022 EFFECTIVE DATE OF ONCOR ELECTRIC DELIVERY COMPANY'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 5 Sellers.  
Voting Yea: Place 1 Sanders, Place 2 Denison, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Mayor Richardson

Motion carried

- C. Approve Interlocal Agreement between the City of Everman and the City of Forest Hill Fire Departments for use of equipment and vehicles.

Motion made by Place 5 Sellers, Seconded by Place 1 Sanders.

Voting Yea: Place 1 Sanders, Place 2 Denison, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Mayor Richardson

Motion Carried

- D. Approve Budget Amendments as presented by the Finance Director

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 5 Sellers.

Voting Yea: Place 1 Sanders, Place 2 Denison, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Mayor Richardson

Motion Carried

- E. Approve Civic Center Policies and Procedures as presented

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 1 Sanders.

Voting Yea: Place 1 Sanders, Place 2 Denison, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Mayor Richardson

Motion Carried

## **9. EXECUTIVE SESSION**

- A. Section 551.074 - Personnel Matters - Past performance, review and evaluation of the City Manager

Mayor opened Executive Session at 7:22pm and closed at 7:55pm.

No Action taken

## **10. CITY MANAGERS REPORT**

- A. Civic Center Update & Ribbon Cutting Ceremony

The Ribbon Cutting is on June 15th at 10am. There will be refreshments served as well.

- B. Town Center Road Construction Project

This construction has already started. This construction will have crews out over the weekend and we hope to see this construction done by next Monday.

## **11. MAYOR'S REPORT**

He had nothing to report.

## **12. ADJOURN**

Mayor adjourned the meeting at 8:01pm.

I hereby certify that this agenda was posted on the City of Everman bulletin board at or before 5:00 p.m. on Friday June 3, 2022

/s/ Mindi Parks  
City Secretary

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- C. Section 551.073 - Deliberation Regarding Prospective Gift.
- D. Section 551.074 - Personnel Matters.
- E. Section 551.087- Deliberation Regarding Economic Development Negotiations.
- F. Section 551.089 - Deliberations Regarding Security Devices or Security Audits.

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# EVERMAN CITY COUNCIL REGULAR MEETING

Tuesday, June 21, 2022 at 6:30 PM

212 North Race Street Everman, TX 76140

## MINUTES

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### 1. MEETING CALLED TO ORDER

Mayor Richardson called meeting to order at 6:30pm.

#### PRESENT

Place 3 Johnnie Allen  
Place 4; Mayor Pro-Tem Susan Mackey  
Place 5 Judy Sellers  
Place 6 Miriam Davila  
Mayor Ray Richardson

#### ABSENT

Place 1 Linda Sanders  
Place 2 Kelly Denison

#### Others Present:

Mindi Parks, City Secretary  
Craig Spencer, City Manager  
Susanne Helgesen, Director of Finance  
Landon Whatley, Fire Chief

### 2. INVOCATION

### 3. PLEDGE OF ALLEGIANCE

### 4. CONSENT AGENDA

#### A. May 3, 2022 Regular Meeting Minutes

May 17, 2022 Regular Meeting Minutes

Motion made by Place 5 Sellers, Seconded by Place 4; Mayor Pro-Tem Mackey.

Voting Yea: Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila,  
Mayor Richardson

Motion Carried

#### B. Financial Report - May 2022

Motion made by Place 5 Sellers, Seconded by Place 4; Mayor Pro-Tem Mackey.  
Voting Yea: Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila,  
Mayor Richardson

Motion Carried

## **5. PRESENTATIONS**

## **6. CITIZEN'S COMMENTS**

No citizens made comments.

## **7. DISCUSSION ITEMS**

### **A. Water Bills - Councilwoman Johnnie Allen**

Johnnie Allen stated that when she left from the Civic Center on Wednesday she observed a line at the front door to pay their water bill, at City Hall and the doors were locked and the drive-thru was also closed. Johnnie stated she did not know when or how long it was closed for, and she had a concern wanting to know if we could make some kind of announcement going forward. Craig stated that the closing did go out over the CTY Phone System for the Ribbon Cutting that day. The City Hall was closed for about an hour and then the girls took turn covering. Craig also stated that with Edna being short handed and having to stay at the front right now to deal with customers the Drive-thru will remain closed until that issue is resolved. Craig stated that we will do everything we can to keep the Drive-thru open after they are back to a full staff. Johnnie stated that just in the future for any type of closings or early closings that the citizens should be notified in some way. Craig will make sure in the future that will happen.

### **B. City Council Training/Travel - Johnnie Allen**

TML Conference is coming up. Johnnie wanted to discuss the up coming Conference in the next month and would like to pay for it in advance and get the reimbursement back for it. The Budget for this needs to be discussed also for more allowance for the council members so that they can all go if they would like. They will look over that line item in the up coming Budget. Mayor stated that they will reimburse Johnnie Allen for the conference in October, he has no problem with that.

### **C. Traffic Pattern Change - Wichita & N. Race St**

Craig stated that over all the Traffic Pattern change has been a success. Very few issues on Race street. A lot of issues on the 100 Block of Wichita Street. This traffic is turning onto Trammell and this is causing a huge problem with big trucks going down this residential street. Craig shared his screen to pull up a map view of the area that is having issues. Craig explained that the traffic from Enon turning on to Wichita in the small two way section and forcing them to turn on Trammell or what they are trying to do is keep going up North down Race street causing problems. This includes the cement trucks and rock trucks. Craig stated that we wanted to keep that little section of Wichita street 2 way for the businesses to still have access but continuing the one way would not affect those businesses. After the Ribbon Cutting at the Civic Center they had a meeting about this and got with the city Engineer to see what he could come up with to solve this problem. This is the resolution that he and the city have come up with. The best way to solve these problems is to continue the one-way down Wichita to Enon. Craig stated that there is already an Ordinance allowing him, as Chief to place signage as necessary so he just wants their thumbs up for him to do that and to continue the one-way all the way down Wichita street as recommended by the City Engineer. Council is all in



consensus to make the rest of Wichita Street one way to eliminate the traffic on Trimmer and allowing Craig to place signage in that area as needed.

**D. Budget Planning Calendar**

This is to open the discussion if the council wanted to combine some of the Budget meetings to eliminate some of the meetings. Cancel the July 5th meeting and only have if they need to and council is fine with that. The council would like to have a meeting during the day on July 22. The time is not yet decided. We will also have our regular meeting as scheduled on July 19.

**8. CONSIDERATION AND POSSIBLE ACTION**

- A. Adopt Resolution #2022-06-02 - A RESOLUTION OF THE CITY OF EVERMAN, TEXAS, ADOPTING THE EVERMAN CIVIC CENTER AS THE NAME FOR THE BUILDING PREVIOUSLY KNOWN AS THE EVERMAN CITY HALL ANNEX.

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 5 Sellers.  
Voting Yea: Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila, Mayor Richardson

Motion Carried.

- B. Approve Ordinance #782 - An ordinance of the City Council of Everman, Texas, the Zoning Ordinance, Appendix B, Section 4.13, Principal Permitted Use Table, Entertainment - Amusements, and providing findings of fact, amendment, repealer, severability, an effective date, and proper notice.

Motion made by Place 5 Sellers, Seconded by Place 4; Mayor Pro-Tem Mackey.  
Voting Yea: Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila, Mayor Richardson

Motion Carried.

- C. Approve Ordinance #783 - An Ordinance of the City of Everman, Texas amending Chapter 14, "Parks and Recreation", by amending city-owned park regulations for Clyde Pittman and Johnson Parks, providing regulations, providing this ordinance is cumulative of all other ordinances, providing for severability; providing a penalty for violations; publication; and providing an effective date.

Motion made by Place 5 Sellers, Seconded by Place 4; Mayor Pro-Tem Mackey.  
Voting Yea: Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila, Mayor Richardson

Motion Carried.

**9. EXECUTIVE SESSION**

- A. Section 551.087 - Deliberation Regarding Economic Development Negotiations - Property Development of City Owned Properties on N. Race St.

Mayor opened up Executive Session at 7:21pm.

Mayor closed the Executive Session at 7:44pm.

No Action Taken

- B. Section 551.074 - Personnel Matters - Past performance, review and evaluation of the City Manager

Mayor opened up Executive Session at 7:21pm.

Mayor closed the Executive Session at 7:44pm.

No Action Taken

## 10. CITY MANAGERS REPORT

May have Budget Amendments.

3 additional officers for the school. SRO's

Gala at 6:30pm. Friday night

Celebrate America is Saturday. 60-70 vendors. It is going to be very big event.

Starts at 6pm. There will be Fireworks from about 9:10 to 9:15ish for the Fireworks.

## 11. MAYOR'S REPORT

Mayor thanked Craig and City staff for all their hard work.

## 12. ADJOURN

Mayor adjourned the meeting at 7:50pm.

I hereby certify that this agenda was posted on the City of Everman bulletin board at or before 5:00 p.m. on Friday June 17, 2021.

/s/ Mindi Parks  
City Secretary

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# City of Everman, Texas

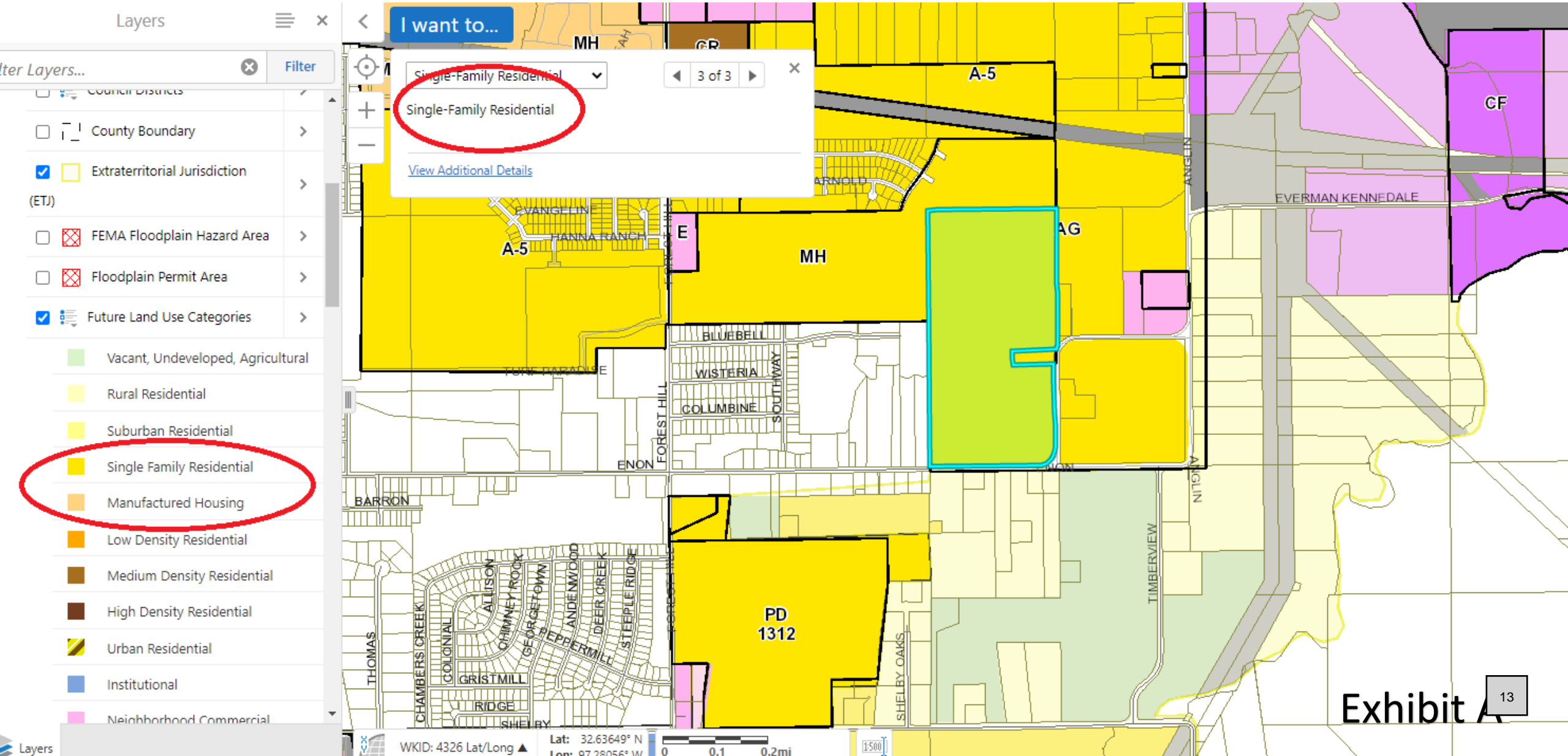
July 13, 2022

In Opposition of Case # ZC-22-102

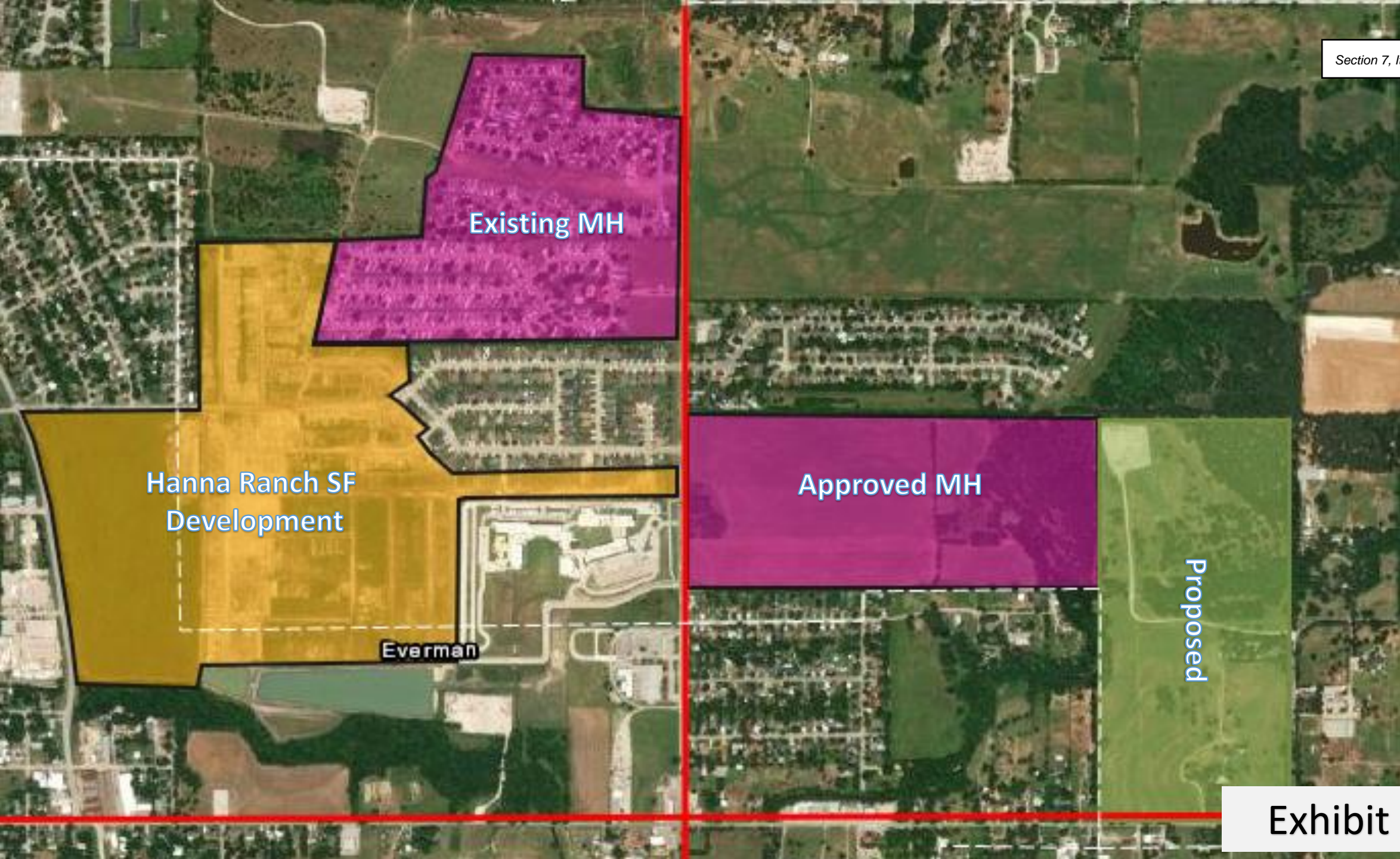
## Highlights

- Insufficient roadways & over-capacity transportation system.
- Negative impact on nearby residential neighborhoods.
- Negative impact on the flood-prone region – need water retention spaces.
- Immediately adjacent to Animal Shelter.
- No positive economic impacts – Manufactured Homes do not appreciate in value as compared to other style homes; they depreciate.
- Condensed residential areas statistically have higher crime rates.
- Minimal transportation & essential services available to this area.

## Not consistent with the City of Fort Worth Future Land Use Map



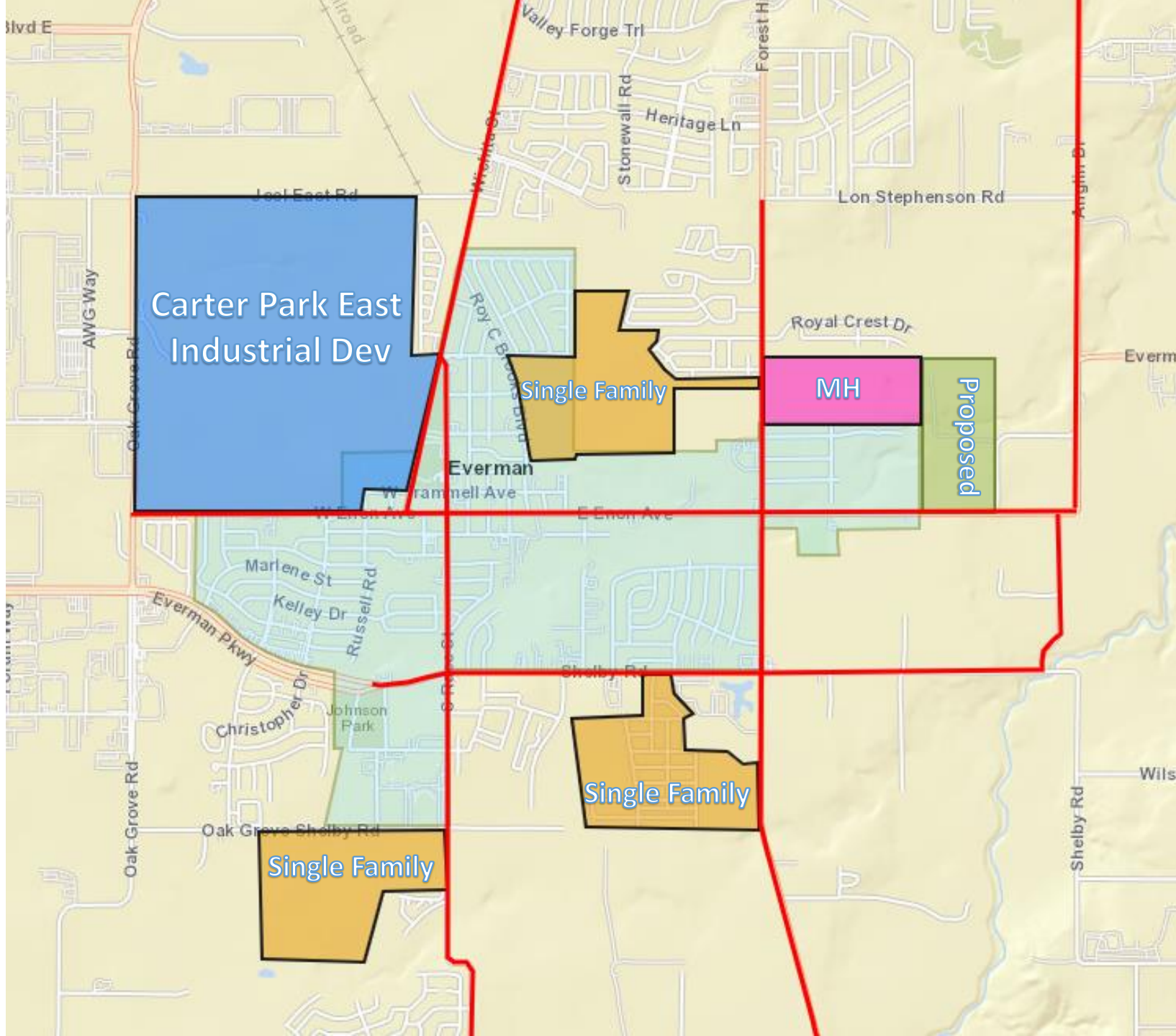






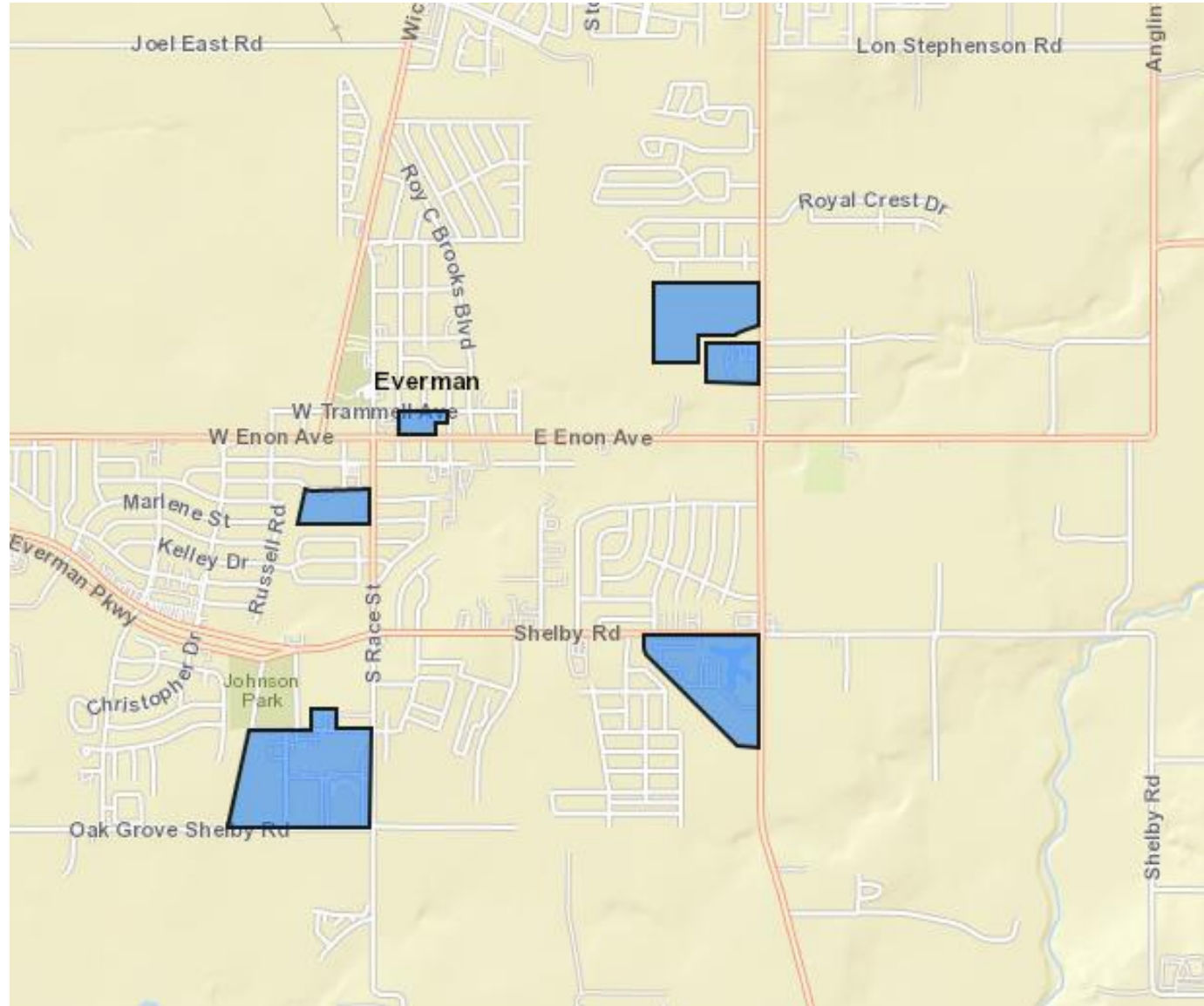
Current Ongoing  
Developments

— 2 Lane Road

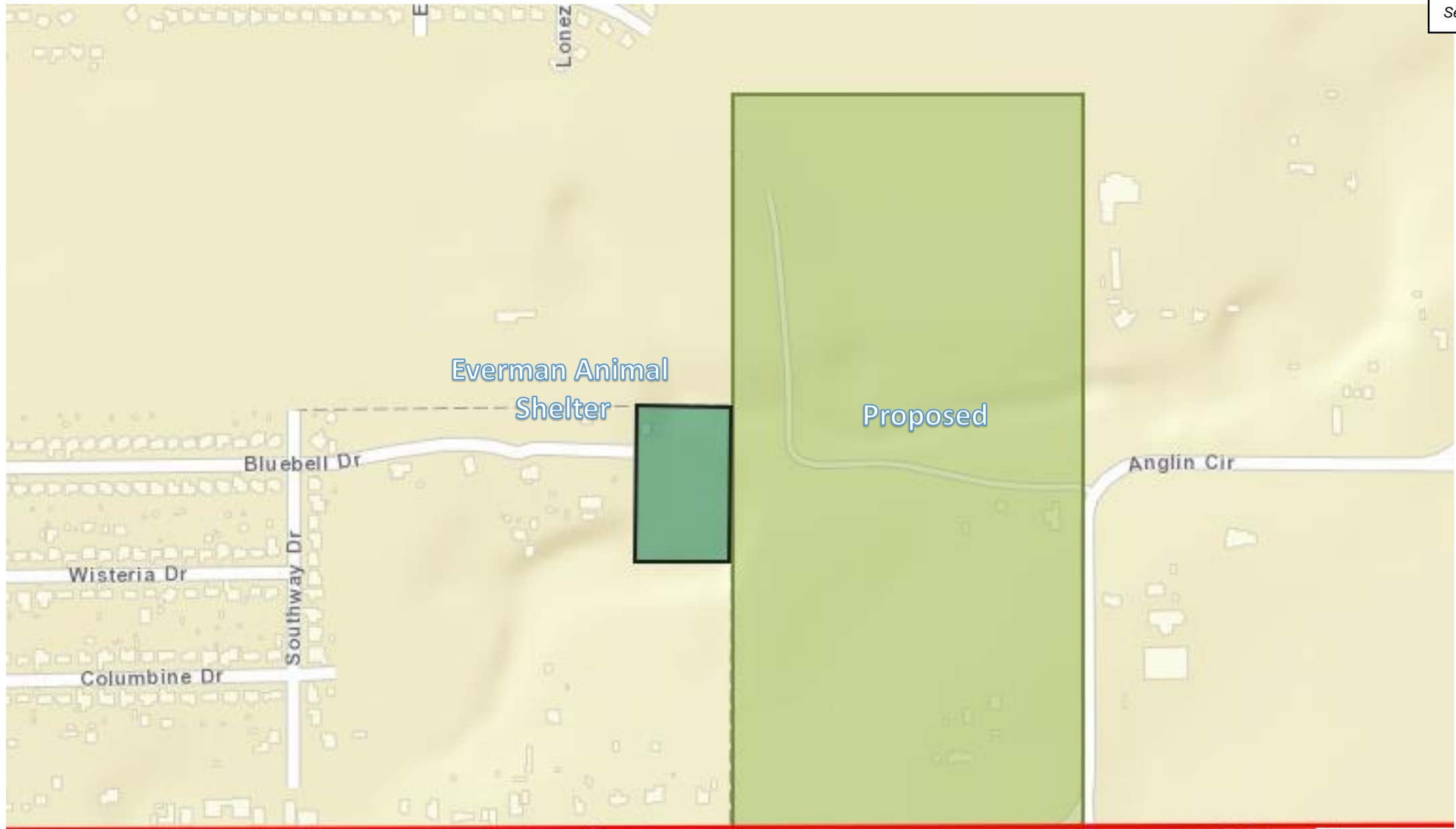


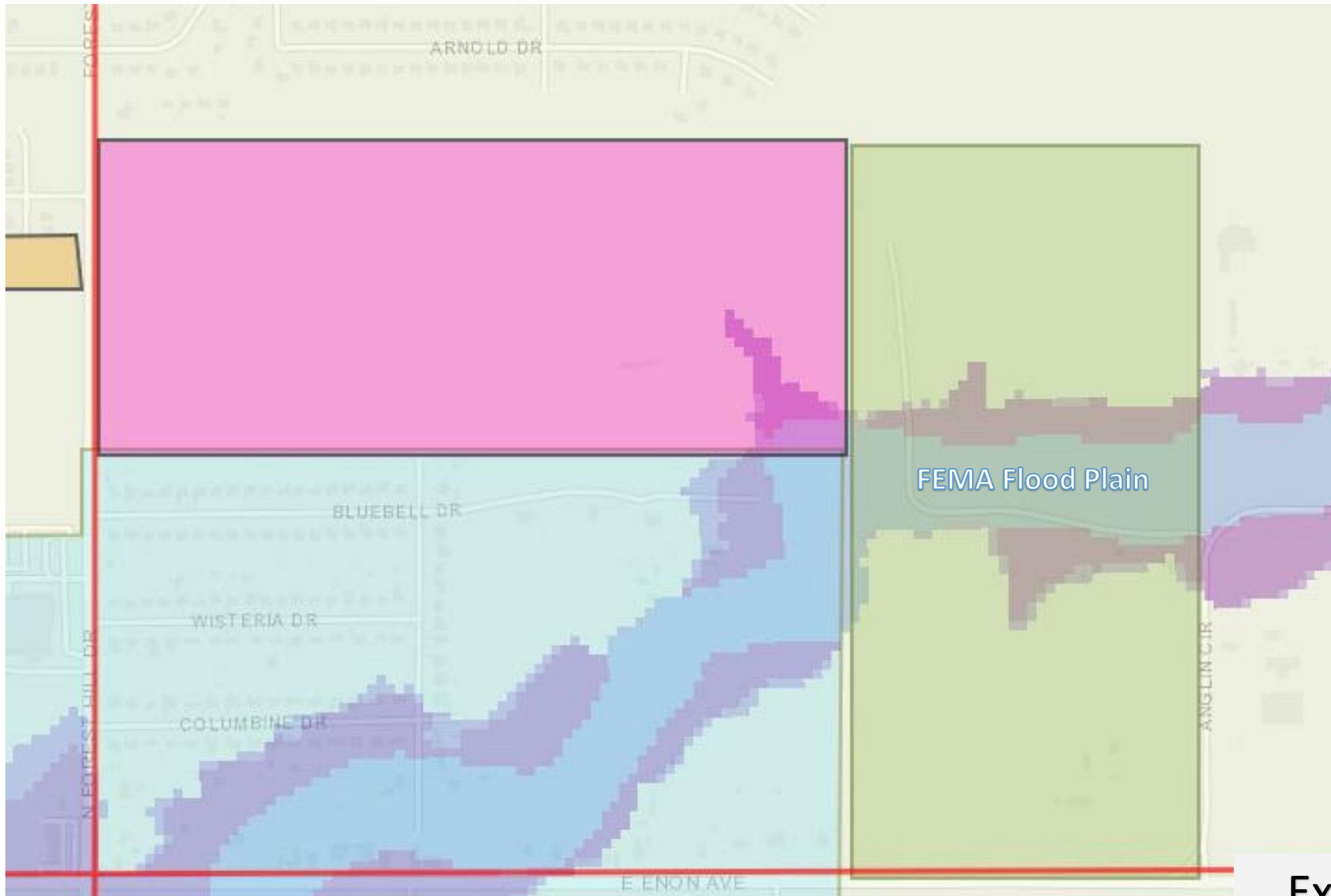
# School Campuses

Section 7, Item A.















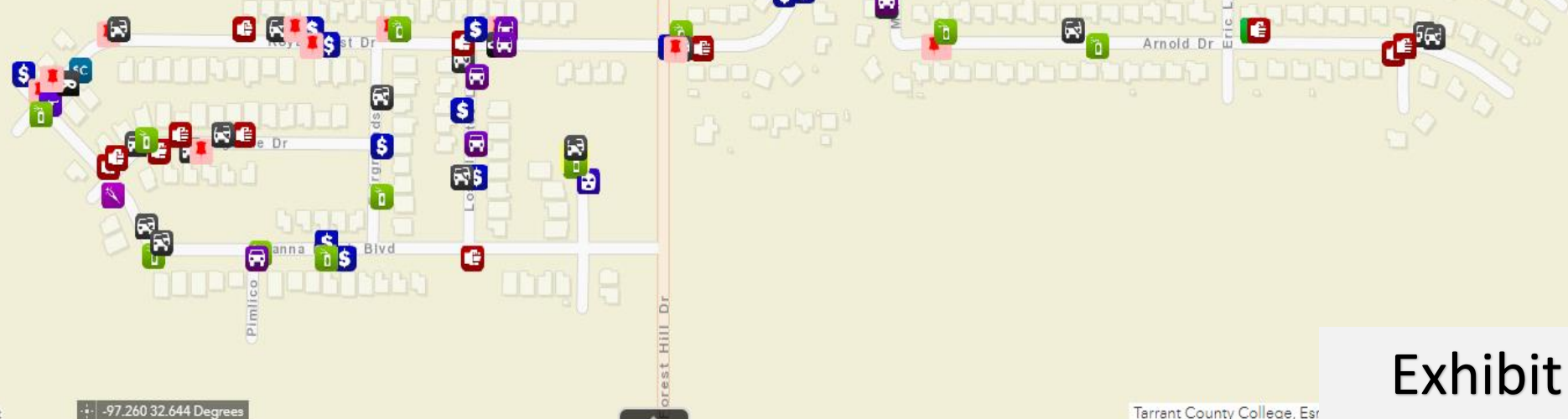
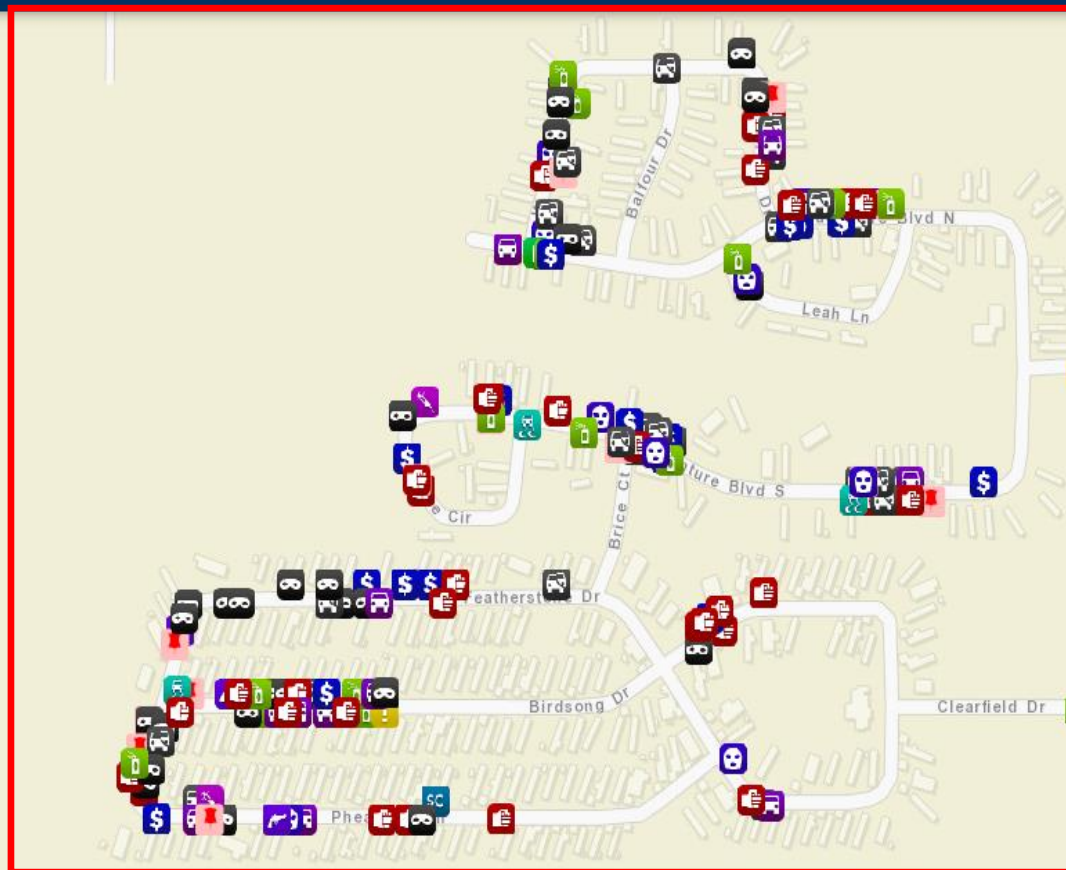




Section 7, Item A.



Existing MH exhibit indicating higher crime activity than other development areas. This existing area is located in the immediate area of the current applicant.



Type of Offense			First Quarter January - March 2022 - Number of Offenses By Council District								Citywide
			Council District 2 Flores	Council District 3 Crain	Council District 4 Moon	Council District 5 Bivens	Council District 6 Williams	Council District 7 Firestone	Council District 8 Nettles	Council District 9 Beck	
Crimes Against Persons (NIBRS - Group A)	13A - C	Assault Offenses	365	367	347	501	314	204	557	389	3,044
	13A	Aggravated Assault	89	82	67	159	92	39	159	78	765
	13B	Simple Assault	233	235	237	274	189	142	339	259	1,908
	13C	Intimidation	43	50	43	68	33	23	59	52	371
	64A-B	Human Trafficking	0	0	0	1	0	2	0	1	4
	100	Kidnapping/Abduction	2	5	5	8	2	4	10	4	40
	09A-B	Murder & Nonnegligent Manslaughter and Negligent Manslaughter	4	3	1	3	3	0	9	2	25
	09A	Murder & Nonnegligent Manslaughter	4	3	1	3	2	0	9	2	24
	09B	Negligent Manslaughter	0	0	0	0	1	0	0	0	1
	11A - D	Sex Offenses, Forcible	24	26	27	35	36	36	44	43	271
	11A	Forcible Rape	15	8	16	16	21	17	19	22	134
	11B-D	Other	9	18	11	19	15	19	25	21	137
	36A - B	Sex Offenses, Nonforcible	0	0	0	0	0	0	1	0	1
Crimes Against Persons Subtotal			395	401	380	548	355	246	621	439	3,385

Crimes Against Property (NIBRS - Group A)	200	Arson	6	3	4	2	1	0	11	Section 7, ItemA.	
	510	Bribery	0	0	0	0	0	0	0	0	0
	220	Burglary/Breaking & Entering	90	146	106	129	81	58	139	146	895
		Residence	51	71	51	89	43	22	63	49	439
		Business	16	30	25	21	19	11	38	30	190
		Others	23	45	30	19	19	25	38	67	266
	250	Counterfeiting/Forgery	7	6	7	6	12	9	11	6	64
	290	Destruction/Damage/Vandalism of Property (excluding arson)	163	182	174	262	161	109	230	230	1,511
	270	Embezzlement	4	2	2	4	2	3	5	3	25
	210	Extortion/Blackmail	0	0	1	0	0	1	0	0	2
	26A - E	Fraud Offenses (excluding counterfeiting/forgery & bad checks)	28	25	17	26	22	7	18	28	171
	23A-H	Larceny/Theft Offenses - Total	355	595	556	647	580	429	549	704	4,415
	23A & B	Pocket-picking & Purse-snatching	0	5	0	4	2	1	2	6	20
	23C	Shoplifting	19	104	69	118	143	54	57	118	682
	23D	Theft from Building	0	1	1	0	1	1	0	1	5
	23E	Theft from Coin-Operated Machine or Device	2	3	1	1	2	2	2	1	14
	23F	Theft from Motor Vehicle	120	148	184	153	125	126	128	191	1,175
	23G	Theft of Motor Vehicle Parts or Accessories	61	87	103	76	110	67	75	120	699
	23H	All Other Larceny	153	247	198	295	197	178	285	267	1,820
	240	Motor Vehicle Theft	118	90	76	127	92	42	131	132	808
	120	Robbery	9	16	15	31	16	4	32	24	147
	280	Stolen Property Offenses	4	7	4	6	2	0	22	10	55
Crimes Against Property Subtotal			784	1,072	962	1,240	969	662	1,148	1,285	242



Crimes Against Society (NIBRS - Group A)	720	Animal Cruelty	6	4	5	5	3	2	10	2	37
	35A	Drug/Narcotic Violations (excluding DUI)	94	66	38	77	33	12	152	98	570
	39A - D	Gambling Offenses	0	0	0	1	1	0	0	0	2
	370	Pornography/Obscene Material	9	5	6	9	8	9	10	5	61
	40A - C	Prostitution Offenses	3	4	0	3	0	0	12	2	24
	520	Weapon Law Violations	29	22	19	47	19	10	69	39	254
Crimes Against Society Subtotal			141	101	68	142	64	33	253	146	948

Type of Offense	First Quarter January - March 2022 - Number of Offenses By Council District								Citywide
	Council District 2 Flores	Council District 3 Crain	Council District 4 Moon	Council District 5 Bivens	Council District 6 Williams	Council District 7 Firestone	Council District 8 Nettles	Council District 9 Beck	
Total Group A	1,320	1,574	1,410	1,930	1,388	941	2,022	1,870	12,455

This development is proposed to occur in District 8, which already has the highest crime rate within the City of Fort Worth according to the most recently available FWPD Quarterly Statistic Report.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS AMENDING CHAPTER 14, “PARKS AND RECREATION;” PROVIDING REGULATIONS RELATED TO SPORTS FIELDS OWNED BY THE CITY; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Everman, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the City Council has previously adopted regulations related to City Parks; and

**WHEREAS**, the City Council deems it to be in the best interest of the health, safety, and general welfare of the citizens of Everman, Texas, and the general public to amend those regulations governing the use of City parks within the City of Everman.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVERMAN:**

**SECTION 1.** The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**SECTION 2.** The following sections of Chapter 14 “Parks and Recreation” of the Code of the City of Everman, Texas are hereby amended:

**“Chapter 14. Parks and Recreation**

**Article III. Sports Field Recreational Areas**

\* \* \* \* \*

**Sec. 14-30. Everman youth association rental of City sports fields.**

The City Sports Fields consist of Johnson Park Baseball field and Clyde Pittman Park Football field. Rental of these City Sports Fields and the execution of a rental contract will be allowed on the following basis:

\* \* \* \* \*

- (3) To be deemed complete an application must include all of the following:
  - a. Completed application form;

- b. Payment of applicable fees/deposits as set forth ~~below~~ in the City's adopted Fee Schedule, as amended;
- c. Proof of state-approved nonprofit corporation or association status;
- d. Liability insurance in amounts set by the City manager;
- e. Play and practice schedule listing date and time of each practice session and each game for the season; and
- f. Roster indicating number of teams, number of players, and name and address of all players for the season.

\* \* \* \* \*

**Sec. 14-31. Rental of sports fields by other youth associations or persons.**

Other youth associations or other persons or entities may rent the City Sports Fields for such dates and times as approved by the City manager or his designee after submission of an application meeting the requirements set forth in section 14-30 above and payment of the applicable deposits and fees set forth in ~~this chapter~~ the City's adopted Fee Schedule, as amended. Scheduling preference shall be given to Everman youth associations.

**Sec. 14-32. Concession areas.**

This section applies to any Everman youth association. Outside entities are not permitted to rent the concession areas.

- (a) During such times that any renter is approved for rental of a particular City Sports Field and is operating under a valid rental contract, the renter shall have exclusive use of any concession area located at the applicable City Sports Field and may place a lock on the concession area (a key must be provided to the City manager's office). The renter shall not remove any existing property from the concession area without the written approval of the City. At the end of the rental period, the renter must remove all of its property from the concession area and will no longer have use of the area. Any property not removed by the renter within ten (10) days of the end of the rental period will be removed by the City and stored for up to thirty (30) days. The renter will be responsible for the City's costs incurred in removal and storage of property and must pay such costs before the property will be returned. In addition, the renter will not be allowed to rent any City Sports Field until such costs are paid in full. The City may use any and all recourse available to collect such costs from the renter. At the end of thirty (30) days, the City will treat any items that have not been returned as abandoned property and will dispose of such property as allowed by law.
- (b) Any renter of a City Sports Field must submit with the application the concession area use fee described below.
- (c) Concession sales shall only be allowed with the appropriate Tarrant County food handler's permit.

\* \* \* \* \*

**Sec. 14-34. Fees/deposits required.**

- (a) Everman youth associations.

- (1) Johnson Park Baseball Field.
  - a. Damage deposit. Any Everman youth association renting the four (4) fields at Johnson Park for baseball or softball shall pay a damage deposit in the amount ~~of five hundred dollars (\$500.00)~~ set forth in the City's adopted Fee Schedule, as amended, which shall be applied to the cost of any damage occurring to the concession area and equipment, fields, stands, parking areas or any other property, structures or facilities during the rental period. Any deposit remaining after offset of such damages shall be refunded to the association within forty-five (45) days after the end of the rental period. If any damage exceeds the damage deposit, the association shall be responsible for payment of any additional costs within ten (10) days of receipt of written notice of such costs.
  - b. Electricity deposit/charges. Any Everman youth association renting the four (4) fields at Johnson Park for baseball or softball shall pay the costs of electricity incurred by the City at the Sports Field during the rental period. At the time of submission of the application, the association must pay a deposit in the amount of two hundred fifty dollars (\$250.00), which will be applied to the cost of electricity used during the rental period. Any deposit amount remaining after offset of the electricity charges shall be refunded to the association within forty-five (45) days after the end of the rental period.
  - ~~e. Per player season fee. Any Everman youth association renting the four (4) fields at Johnson Park for baseball or softball shall be required to pay a one-time per season fee of five dollars (\$5.00) for each Everman resident player and ten dollars (\$10.00) for each non-Everman resident player on the player roster submitted with the application. This payment must be made to the City prior to the beginning of any practices or games. If the number of players on the roster increases after submission of the application and payment, the association must notify the City and pay the additional fees within five (5) business days of adding the player to the roster.~~
  - c. Concession area fee. Any Everman youth association renting the four (4) fields at Johnson Park for baseball or softball shall pay a fee of fifty dollars (\$50.00) per season for use of the concession area.
  - d. Tournament fee. If any renter schedules a tournament in which participants from outside the renter's association will be playing, a fee of twenty dollars (\$20.00) per team outside of the renter's association will be charged. This fee must be paid prior to the tournament.
- (2) Clyde Pittman Park Football Field.
  - a. Damage deposit. Any Everman youth association renting the Clyde Pittman Park Football Field shall pay a damage deposit in the amount ~~of five hundred dollars (\$500.00)~~ set forth in the City's adopted Fee Schedule, as amended, which shall be applied to the cost of any damage occurring to the concession area and equipment, fields, stands, parking areas or any other property, structures or facilities during the rental period. Any deposit remaining after offset of such damages shall be refunded to the association within forty-five (45) days after the end of the rental period. If any damage exceeds the damage deposit, the association shall be responsible for

payment of any additional costs within ten (10) days of receipt of written notice of such costs.

- b. ~~Per player season fee. Any Everman youth association renting the Clyde Pittman Park Football Field shall be required to pay a one time per season fee of five dollars (\$5.00) for each Everman resident player and ten dollars (\$10.00) for each non-Everman resident player based on the player roster provided with the application. This payment must be made to the City prior to the beginning of any practices or games. If the number of players on the roster increases after submission of the application and payment, the renter must notify the City and pay the additional fees within five (5) business days of adding the player to the roster.~~
- c. Concession area fee. Any Everman youth association renting the Clyde Pittman Park Football Field shall pay a fee of fifty dollars (\$50.00) per season for use of the concession area.

(b) Other youth associations, entities or persons.

- (1) Rental fees. Fees for rental of the City Sports Fields for other youth associations, entities or individuals shall be ~~fifteen dollars (\$15.00) for each day game or practice and twenty-five dollars (\$25.00) for each night game or practice plus a fee of twenty-five dollars (\$25.00) per day for use of the concession areas in the amounts set forth in the City's adopted Fee Schedule, as amended.~~
- (2) Deposits. In addition, such renters must submit the damage deposits referenced above at the time of application and shall be subject to the same terms as set forth above.

**SECTION 3.** That the City Manager or his designee is hereby authorized to execute on behalf of the City, rental agreements in compliance with this ordinance with persons or entities desiring to rent City Sports Fields.

**SECTION 4.** All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance, are hereby repealed, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein.

**SECTION 5.** That it is hereby declared to be the intention of the City Council of the City of Everman that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared invalid or unconstitutional be the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 6.** All rights and remedies of the City of Everman, Texas are expressly saved as to any and all violations of the provisions of the ordinances of the City of Everman which have accrued at the time of the effective date of this Ordinance, and such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7.** This Ordinance shall take effect immediately after its passage and publication as required by law.

**PASSED AND APPROVED** by the City Council of the City of Everman, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2022, by vote of \_\_\_\_\_ (ayes) to \_\_\_\_\_ (nays) to \_\_\_\_\_ (abstentions).

**CITY OF EVERMAN, TEXAS**

\_\_\_\_\_  
Ray Richardson, Mayor

ATTEST:

\_\_\_\_\_  
Mindi Parks, City Secretary

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS AMENDING APPENDIX A “FEE SCHEDULE” OF THE EVERMAN CODE OF ORDINANCES; PROVIDING FOR FEES RELATED TO RENTAL OF CITY-OWNED SPORTS FIELDS INCLUDING CONCESSIONS; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Everman, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the City Council has previously adopted a fee schedule for a variety of services provided by the City to the public which is incorporated into the City Code as Appendix A; and

**WHEREAS**, the City seeks to streamline a list of all its fees including the addition of the Parks and Recreation fees related to the rental of Sports Fields owned by the City; and

**WHEREAS**, the City Council deems it to be in the best interest of the general public to amend Appendix A of the City Code to add fees related to the rental of Sports Fields within the City of Everman.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVERMAN:**

**SECTION 1.** The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**SECTION 2.** Appendix A of the Code of the City of Everman, Texas is hereby amended to include the following fees related to the rental of Sports Fields owned by the City through the Parks and Recreation Department:

- Single Field Event Rental – \$75.00/hour
- All Field Rental/Per Day (7am – 11pm) – \$1,000.00
- Single Event Damage Deposit – \$500.00

**SECTION 3.** All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance, are hereby repealed, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein.



**SECTION 4.** That it is hereby declared to be the intention of the City Council of the City of Everman that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared invalid or unconstitutional be the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 5.** All rights and remedies of the City of Everman, Texas are expressly saved as to any and all violations of the provisions of the ordinances of the City of Everman which have accrued at the time of the effective date of this Ordinance, and such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 6.** This Ordinance shall take effect immediately after its passage and publication as required by law.

**PASSED AND APPROVED** by the City Council of the City of Everman, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2022, by vote of \_\_\_\_\_ (ayes) to \_\_\_\_\_ (nays) to \_\_\_\_\_ (abstentions).

**CITY OF EVERMAN, TEXAS**

\_\_\_\_\_  
Ray Richardson, Mayor

ATTEST:

\_\_\_\_\_  
Mindi Parks, City Secretary

CITY OF EVERMAN

RESOLUTION NO. 2022-07-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
EVERMAN, TEXAS TO ADOPT AND ALLOCATE FUNDS FOR AN  
OUTDOOR FITNESS COURT AS PART OF THE 2022 NATIONAL  
FITNESS CAMPAIGN

**WHEREAS,** the City of Everman, Texas (the “City”) has submitted a Grant Application to National Fitness Campaign (NFC) for participation in their 2022 initiative to install and activate outdoor Fitness Courts in 200 cities and schools across the country, and;

**WHEREAS,** the City will accept a \$50,000 National Grant from the NFC Grant Committee and Statewide Partners, and provide a local match in the amount of up to \$50,000 to promote and implement a free-to-the-public outdoor Fitness Court, and;

**WHEREAS,** the City will secure supplemental funding as needed through community sponsors, which will be made available and committed to this program for the purchase of the outdoor Fitness Court, and;

**WHEREAS,** the City will commit to construction and launch of the Outdoor Fitness Court by the end of the 2022 Calendar Year, and;

**WHEREAS,** the City believes the outdoor Fitness Court is an important wellness ecosystem that supports healthier communities, commits to funding/fundraising to participate in NFC’s 2022 Campaign, and will earn local and national recognition as leader in providing affordable health and wellness.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS THAT THE CITY OF EVERMAN WILL COLLABORATE WITH NFC TO IMPLEMENT THE OUTDOOR FITNESS COURT AND MAKE FITNESS FREE TO COMMUNITY RESIDENTS AND VISITORS**

**PASSED & APPROVED** the \_\_\_\_ day of July 2022 by City Council on vote of \_\_\_\_AYES; \_\_\_\_NAYS; \_\_\_\_ABSTENTIONS.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY SECRETARY