

**City of Hurst
City Council Minutes
Tuesday, June 23, 2015**

On the 23rd day of June 2015, at 6:30 p.m., the City Council of the City of Hurst, Texas, convened in Regular Meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Richard Ward	)	Mayor
Nancy Welton	)	Mayor Pro Tem
Larry Kitchens	)	Councilmembers
Anna Holzer)	
Henry Wilson)	
Bill McLendon)	
David Booe)	
Allan Weegar	)	City Manager
John Boyle	)	City Attorney
Clay Caruthers	)	Assistant City Manager
Jeff Jones	)	Assistant City Manager
Rita Frick	)	City Secretary
Michelle Lazo	)	Managing Director of Planning
Lisa Howard	)	Court Administrator

With the following Councilmembers absent: none, constituting a quorum; at which time, the following business was transacted:

The meeting was called to order at 6:30 p.m.

Councilmember Larry Kitchens gave the Invocation.

The Pledge of Allegiance was given.

PROCLAMATION(S)

1. Proclamation recognizing Amateur Radio Week June 21-27, 2015. Councilmember Larry Kitchens read and presented the proclamation recognizing Amateur Radio Week to President Chris Cotter. Fire Chief John Brown reviewed the importance of Amateur Radio Operators and their field day exercises.

2. **CONSENT AGENDA**

Considered approval of the minutes for the June 9, 2015 City Council meetings.

Councilmember Wilson moved to approve the minutes. Motion seconded by Councilmember Holzer. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton
No: None

PUBLIC HEARING(S) AND RELATED ITEM(S)

3. Conducted a public hearing to consider SP-15-06 (In-N-Out Burgers), a site plan revision for signage only on Lot 2R2, Block 1, Thousand Oaks South Addition, being 1.22 acres located at 780 Airport Freeway. Mayor Ward announced a public hearing to consider SP-15-06 (In-N-Out Burgers), a site plan revision for signage only on Lot 2R2, Block 1, Thousand Oaks South Addition, being 1.22 acres located at 780 Airport Freeway and recognized Project Manager Mark Noack, 3901 Adler Drive, Suite 200, Dallas, Texas, who reviewed their request to increase the pole sign 10 feet for increased visibility from the west bound freeway traffic. He explained that a neighboring business installed a sign blocking the In-N-Out pole sign. In response to Councilmember's questions, Managing Director of Development Michelle Lazo explained the City does not currently require a flag test. She stated the sign company typically does the flag test prior to installation. Councilmembers discussed the need for better review, in the future, to ensure visibility for signs.

There being no one else to speak, Mayor Ward closed the public hearing.

4. Considered Ordinance 2285, SP-15-06 In-N-Out Burgers, a site plan revision for signage only on Lot 2R2, Block 1, Thousand Oaks South Addition, being 1.22 acres located at 780 Airport Freeway.

Councilmember Wilson moved to approve SP-15-06 (In-N-Out Burgers), a site plan revision for signage only on Lot 2R2, Block 1, Thousand Oaks South Addition, being 1.22 acres located at 780 Airport Freeway and Ordinance 2285. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

5. Conducted a public hearing to consider SP-14-14, Hilton Garden Inn, a site plan approval for a portion of Lot 4R1A, Block 1, University Plaza Addition, being 1.12 acres located at 1601 Campus Drive. Mayor Ward announced a public hearing to consider SP-14-14, Hilton Garden Inn, a site plan approval for a portion of Lot 4R1A, Block 1, University Plaza Addition, being 1.12 acres located at 1601 Campus Drive. City Manager Allan Weegar reviewed the strategic planning process and desire to have a hotel next to the conference center and introduced Mr. Melwani of CN Churchill Group the successful proposer. Mr. Melwani reviewed the proposed site plan noting, signage, elevations, connectivity and aesthetic flow with the conference center. City Manager Allan Weegar noted the project will require various dedicated easements, which will be outlined in the plat.

There being no one else to speak, Mayor Ward closed the public hearing.

6. Considered Ordinance 2286, SP-14-14, Hilton Garden Inn, a site plan approval for a portion of Lot 4R1A, Block 1, University Plaza Addition, being 1.12 acres located at 1601 Campus Drive.

Councilmember Kitchens moved to approve SP-14-14, Hilton Garden Inn, a site plan approval for a portion of Lot 4R1A, Block 1, University Plaza Addition, being 1.12 acres located at 1601 Campus Drive. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

7. Conducted a public hearing to consider a proposed plan of finance and related issuance by the Colorado Health Facilities Authority (“Colorado Authority”) of Health Facilities Revenue Bonds (The Evangelical Lutheran Good Samaritan Society Project), Series 2015 (the “Bonds”) on behalf of The Evangelical Lutheran Good Samaritan Society (the “Society”) as required by the Internal Revenue Code due to the Location of the Facilities in Hurst, Texas. Mayor Ward announced a public hearing to consider a proposed plan of finance and related issuance by the Colorado Health Facilities Authority (“Colorado Authority”) of Health Facilities Revenue Bonds (The Evangelical Lutheran Good Samaritan Society Project), Series 2015 (the “Bonds”) on behalf of The Evangelical Lutheran Good Samaritan Society (the “Society”) as required by the Internal Revenue Code due to the Location of the Facilities in Hurst, Texas, and recognized City Attorney John Boyle, who reviewed the requirements of the Internal Revenue Code relative to the proposed public hearing and resolution. Mayor Ward also recognized Glenwood Hill, 1445 Ross Avenue, Dallas, Texas, bond counsel for the issuer. Mr. Hill stated that notice of the hearing was provided duly in accordance with IRS regulations. He explained that Colorado Health Facilities authority is the issuer in an anticipated amount of \$300,000,000, of which \$5,500,000 is anticipated to be spent in Hurst. City Attorney Boyle advised Council there is no legal obligations relative to issuance for the City or the State of Texas.

There being no one else to speak, Mayor Ward closed the public hearing.

8. Considered Resolution 1622 approving the Location of Facilities in Hurst pursuant to a proposed Plan of finance and related issuance by the Colorado Health Facilities Authority (“Colorado Authority”) of Health Facilities Revenue Bonds (The Evangelical Lutheran Good Samaritan Society Project), Series 2015 (the “Bonds) on behalf of The Evangelical Lutheran Good Samaritan Society (the “Society”) as required by the Internal Revenue Code due to the Location of Facilities in Hurst, Texas.

Councilmember McLendon moved to approve Resolution 1622 approving the location of facilities in Hurst pursuant to a proposed plan of finance and related issuance by the Colorado Health Facilities Authority of Health Facilities Revenue Bonds, Series 2015, on behalf of The Evangelical Lutheran Good Samaritan Society as required by the Internal Revenue Code due to the location of facilities in Hurst, Texas. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

ACTION ITEM(S)

9. Considered authorizing the City Manager to enter into a contract with Linebarger, Goggan, Blair & Sampson, LLP, for the collection of delinquent accounts for the Hurst Municipal Court. Mayor Ward recognized Court Administrator Lisa Howard who provided an overview of the selection process and staff's recommendation for Linebarger, Goggan, Blair & Sampson, LLP for the collection of delinquent accounts for the Municipal Court. In response to Councilmembers' questions, Ms. Howard reviewed outstanding delinquent account information. Mayor Ward recognized Linebarger, Goggan, Blair and Sampson, LLP representative Steve Meeks who reviewed the court collection services process. City Manager Allan Weegar noted they also collect the City's delinquent property tax. Also recognized was Linebarger, Goggan, Blair & Sampson LLP representative Corey Fickes who provided additional information regarding collections.

Councilmember Welton moved to authorize the city manager to enter into a contract with Linebarger, Goggan, Blair & Sampson, LLP, for the collection of delinquent accounts, for the Hurst Municipal Court. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton
No: None

OTHER BUSINESS

10. Council reviewed the following advisory board meeting minutes:
- Library Board
 - Parks and Recreation Board
 - Hurst Senior Citizens Advisory Board
 - Traffic Safety Commission
 - Planning and Zoning Commission
11. Review of upcoming calendar items – City Manager Allan Weegar reviewed the upcoming Stars and Stripes 4th of July event.
12. City Council Reports – Councilmember Wilson noted his upcoming TML Board meeting briefing on the legislative session.

PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED

Mayor Ward recognized Ms. Rebecca Brown, 1141 Simpson Drive, Hurst, Texas, who expressed her concerns regarding limited hours to the Central Aquatics Center.

Mayor Ward recessed the meeting at 7:40 p.m. to Executive Session in Compliance With the Provisions of the Texas Open Meetings Law, Authorized by Government Code, 551.087 deliberation and conducting of economic development negotiations regarding financial information relative to prospective business expansion in the City and Section 551.071 to consult with City Attorney to seek

advice regarding Pending or Contemplated Litigation or Settlement Offers (Fire Apparatus) and (James H. Watson vs City of Allen, et al.) and reconvened open session at 8:09 p.m.

- 13. Considered any and all action necessary ensuing from Executive Session.

Councilmember Wilson moved to approve a 380 agreement, as presented, between the City of Hurst and CN Churchill IV LLC. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton
No: None

Councilmember Kitchens moved to amend the Purchase and Sale Agreement between the City of Hurst and CN Churchill IV LLC dated August 26, 2014 to include the following changes: Amending Section 3.1 Entitled Consideration as follows – changing “January 1, 2017” to “May 30, 2017”; Amending Section 3.2 Entitled Purchase Price as follows – replacing all prior language of this section with the following sentence “The purchase price shall be \$12,000.” and Amending Section 5.10 Entitled Inspection period as follows – changing “180 days” to “455 days”. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton
No: None

ADJOURNMENT

The meeting adjourned at 8:10 p.m.

APPROVED this the 14th day of July 2015.

ATTEST:



Rita L. Frick, City Secretary

APPROVED:



Richard Ward, Mayor