

**City of Hurst
City Council Minutes
Tuesday, March 22, 2016**

On the 22nd day of March 2016, 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
Bill McLendon	)	Mayor Pro Tem
Larry Kitchens	)	Councilmembers
Anna Holzer)	
Henry Wilson)	
Nancy Welton)	
David Booe)	
Allan Weegar	)	City Manager
John Boyle	)	City Attorney
Allan Heindel	)	Deputy City Manager
Clay Caruthers	)	Assistant City Manager
Rita Frick	)	City Secretary
Greg Dickens	)	Executive Director of Public Works
Steve Bowden	)	Executive Director of Development
John Brown	)	Fire Chief
Stephen Moore	)	Police Chief
Michelle Lazo	)	Managing Director of Development
Steve Niekamp	)	Assistant Police Chief

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 Booe gave the Invocation.

The Pledge of Allegiance was given.

ACTION ITEM

1. Consider appointment of City Manager.

Councilmember Wilson moved to appoint Clay Caruthers as City Manager of the City of Hurst effective July 16, 2016, and approve his employment agreement. Motion seconded by Councilmember Holzer. Motion prevailed by the following vote:

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

Assistant City Manager Clay Caruthers thanked the City Council and City Manager Allan Weegar for the opportunity and introduced his family members. Mayor and Councilmembers congratulated Mr. Caruthers and wished him well in his future position as city manager. City Manager Allan Weegar also expressed his confidence in the Council's selection.

Mayor Ward recessed the meeting at 5:51 p.m. and reconvened the meeting at 5:55 p.m.

PROCLAMATION (S)

2. Proclamation recognizing the months of June, July, and August 2016 as HEB Reads! Summer Reading Challenge Season in the City of Hurst. Councilmember Holzer presented the Proclamation recognizing the HEB Reads! Summer reading challenge to Library Director Jesse Loucks who provided an overview of the program and introduced Library Manager Beverly Kirkendale. Mr. Loucks also introduced HEB ISD representative Kara Elledge who provided additional details about student needs.

CONSENT AGENDA

3. Considered approval of the minutes for the February 23 and March 1, 10, 11 and 12, 2016 City Council meetings.
4. Considered authorizing the purchase of the iRecord Pro Forensic Interview Recording System for the Justice Center jail DWI rooms.
5. Considered authorizing the city manager to enter into a contract with BTH Sales & Marketing, Inc., for citywide graphic art services.
6. Considered authorizing the city manager to enter into a contract for website service at the Hurst Conference Center.
7. Considered authorizing the Chisholm Park Roadway and Parking Lots Improvements.
8. Considered authorizing the city manager to execute Change Order 2 with Excel 4 Construction, LLC, for the 2015 miscellaneous Sanitary Sewer Pipe Bursting Improvement Project.
9. Considered Resolution 1642 authorizing the city manager to allocate up to \$60,000 as matching funds for the HOME Investment Partnership Grant Program administered by the Tarrant County Community Development and Housing Department for projects in Hurst.

Councilmember Booe moved to accept the consent agenda. Motion seconded by Councilmember Holzer. Motion prevailed by the following vote:

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

No: None

PUBLIC HEARING AND RELATED ITEM (S)

10. Conducted a public hearing to consider SP-16-01 Bank of Texas, a site plan revision for Lot A1, Block 1, Norwood North Addition, being 5.08 acres located at 500 Grapevine Highway.

Mayor Ward announced a public hearing to consider SP-16-01 Bank of Texas, a site plan revision for Lot A1, Block 1, Norwood North Addition, being 5.08 acres located at 500 Grapevine Highway, and recognized applicant Jim Beach, Wallace Engineering, 200 East Grady Street. Mr. Beach reviewed the proposed site plan noting the new canopy with three (3) drive thru lanes. He stated the parking lot is being slightly altered, but still exceeds the number of required parking spaces. Also noted is the tree mitigation compliance. Managing Director of Development Michelle Lazo reviewed the project noting no changes to access or the existing monument sign.

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

11. Considered Ordinance 2316, first reading, to consider SP-16-01 Bank of Texas, a site plan revision for Lot A1, Block 1, Norwood North Addition, being 5.08 acres located at 500 Grapevine Highway.

Councilmember Wilson moved to approve SP-16-01 Bank of Texas, a site plan revision for Lot A1, Block 1, Norwood North Addition, being 5.08 acres located at 500 Grapevine Highway with the inclusion of Ordinance 2316. Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

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

No: None

12. Conducted a public hearing to consider amending Chapter 27 of the Hurst Code of Ordinances, Section 27-3 Definitions by adding (43.5) E-cigarette or Electronic Cigarette and (112.5) Smoking / Non Traditional Smoking Related Business; by amending Sections 27-12 Limited Business (c) Planned Development uses by adding (3) Electronic Cigarettes, Section 27-13 General Business (c) Planned Development (6) Electronic Cigarettes; Section 27-14 Outdoor Commercial (c) Planned Development uses by adding (5) Electronic Cigarettes and Section 27-15.1 TX 10 Multi-Use District (c) Planned Development uses by adding Electronic Cigarettes.

Mayor Ward announced a public hearing to Consider Ordinance 2315, first reading, amending Chapter 27 of the Hurst Code of Ordinances regarding E-cigarettes or Electronic Cigarettes and Smoking / Non Traditional Smoking Related Businesses and recognized Managing Director of Development Michelle Lazo who noted the proposed ordinance amendments define E-cigarettes and Non-Traditional Smoking Related Businesses, and requires a PD (Planned Development) process for new non-traditional smoking related businesses to open if these products are the principal sale.

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

13. Considered Ordinance 2315, first reading, amending Chapter 27 of the Hurst Code of Ordinances, Section 27-3 Definitions by adding (43.5) E-cigarette or Electronic Cigarette and (112.5) Smoking / Non Traditional Smoking Related Business; by amending Sections 27-12 Limited Business (c) Planned Development uses by adding (3) Electronic Cigarettes, Section 27-13 General Business (c) Planned Development (6) Electronic Cigarettes; Section 27-14 Outdoor Commercial (c) Planned Development uses by adding (5) Electronic Cigarettes and Section 27-15.1 TX 10 Multi-Use District (c) Planned Development uses by adding Electronic Cigarettes.

In response to Councilmember's questions, Ms. Lazo stated during the site plan process, the Council has the decision to determine if the business is the highest and best use for the site. She stated that there are no specific regulations regarding the distance to school and churches for this type of use. City Attorney John Boyle stated the Council could make the determination if they believed the businesses were too close to schools or churches during the site plan process.

Councilmember Kitchens moved to approve Ordinance 2315 amending Chapter 27 of the Hurst Code of Ordinances. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

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

PLAT(S)

14. Considered P-15-19 Noble Estates Addition, a final plat of Lots 1-10, Block 1, Noble Estates Addition, being 2.59 acres located at 312 East Pecan Street.

Mayor Ward recognized JDJR Engineers and Consultants Representative Jim Dewey, 2500 Texas Drive, Suite 100, Irving, Texas who stated the plat was for a new single-family subdivision. Staff advised engineering plans have been reviewed and accepted.

Councilmember Wilson moved to approve Plat P-15-19. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

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

RESOLUTION(S)

15. Considered Resolution 1636 allowing the City of Hurst to declare its expectation that it will reimburse future expenses incurred for Recreation Center and Central Aquatics Center repairs, improvements and renovations with proceeds of future debt.

Mayor Ward recognized Assistant City Manager Clay Caruthers who reviewed the proposed resolution noting the City's plan to issue bonds in June, but the need to spend dollars before the issuance. He stated that, by law, the resolution must be approved

before dollars are spent, so the City can reimburse itself. In response to Councilmembers' questions, Deputy City Manager Allan Heindel stated paperwork for insurance submittal for the floor has been sent to the Texas Municipal League.

Councilmember McLendon moved to approve Resolution 1636 allowing the City of Hurst to declare its expectation that it will reimburse future expenses incurred for Recreation Center and Central Aquatics Center repairs, improvements and renovations with proceeds of future debt. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

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

No: None

16. Considered Resolution 1640 requesting the State of Texas remove Tract 15-09 from the State System and transfer its property interest in this tract to the City of Hurst.

Mayor Ward recognized Executive Director of Public Works Greg Dickens who reviewed the proposed resolution noting the City will be agreeing to assume all maintenance of the property. He explained the lots were remnants from the highway expansion and were no longer needed by the state. Also, noted was the minimal maintenance of the property by the state, and various possibilities for the use of the property once ownership is transferred to the City.

Councilmember Wilson moved to approve Resolution 1640. Motion seconded by Councilmember Holzer. Motion prevailed by the following vote:

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

No: None

17. Considered Resolution 1641 authorizing the police department to apply to the Office of the Governor, Criminal Justice Division, for the continuation grant, with the cities of Euless and Bedford, for operational cost of a Mental Health Coordinator position.

Mayor Ward recognized Assistant Police Chief Steve Niekamp who reviewed the \$80,000 grant opportunity to help fund the Mental Health Coordinator position, the Mental Health Law Liaison Project (MHLL) and its success. In response to Councilmembers' questions Assistant Chief Niekamp stated, due to Chief Moore, Hurst Police Officers were trained in mental health issues before it was state mandated. He stated although he is unsure if the number of people with mental health issues increased, officers are better equipped to identify those with mental health issues.

Councilmember McLendon moved to approve Resolution 1641. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

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

No: None

OTHER BUSINESS

18. Councilmembers reviewed the following advisory board meeting minutes:
- HEB Teen Court Advisory Board

Mayor Ward noted the upcoming Teen Court Advisory Gala, April 28, 2016, at the Hurst Conference Center.

19. Review of upcoming calendar items – City Manager Allan Weegar noted the following calendar items:
- City Offices Closed – Friday, March 25, 2016
 - Good Neighbor Days – Saturday, April 23 and April 30, 2016, 7:00 am – Noon, Bellaire Shopping Center
 - Employee Giving Day, Friday, April 8, 2016

20. City Council Reports – Councilmember Kitchens reported on the recent National League of Cities Congress of Cities Conference and the Technology Committee and Small Cities Council meeting activities. Councilmember Kitchens also reported on a recent trip to Austin where he gave a presentation on what the City of Hurst is doing regarding Cyber Security. Councilmember Booe reported on the National League of Cities Congress of Cities Conference activities and the Finance Committee meeting.

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 Council Candidates Anita Thetford, Jeff Childers and Trasa Cobern. Mayor Ward also recognized Pat King, who expressed appreciation to the Council for their support during the loss of her husband, Fred King.

EXECUTIVE SESSION in Compliance With the Provisions of the Texas Open Meetings Law, Authorized by Government Code, Section 551.074, Personnel - (City Council Appointees) and to reconvene in Open Session at the conclusion of the Executive Session. There was no executive session.

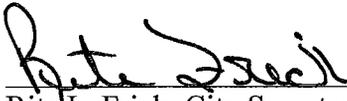
21. Take any and all action necessary ensuing from Executive Session. No action was taken.

ADJOURNMENT

The meeting adjourned at 6:56 p.m.

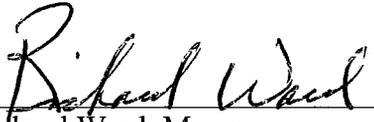
APPROVED this the 12th day of March 2016.

ATTEST:



Rita L. Frick, City Secretary

APPROVED:



Richard Ward, Mayor