

City of Hurst
City Council Minutes
Tuesday, September 27, 2016

On the 27th day of September 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
Larry Kitchens	)	Mayor Pro Tem
Bill McLendon	)	Councilmembers
Henry Wilson)	
Nancy Welton)	
David Booe)	
Trasa Cobern)	
Clay Caruthers	)	City Manager
John Boyle	)	City Attorney
Allan Heindel	)	Deputy City Manager
Rita Frick	)	City Secretary
Greg Dickens	)	Executive Director of Public Works
Michelle Lazo	)	Managing Director Development
Steve Bowden	)	Executive Director of Development
Duane Hengst	)	City Engineer

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 Wilson gave the Invocation.

The Pledge of Allegiance was given.

PRESENTATIONS

1. Presentation of the 2016 Achievement of Excellence in Procurement Award. Mayor Ward recognized Director of Risk/Purchasing Jerry Lewandowski who spoke of his goal to obtain this award. Mr. Lewandowski introduced Dawn Berry of the International Institute of Procurement who reviewed the Achievement of Excellence in Procurement criteria designs to measure innovation, professionalism, e-procurement, productivity, and leadership attributes of the procurement function. Ms. Berry noted this is the first time for the City to receive the Achievement in Excellence in Procurement Award, and is one of only 28 agencies in Texas and 72 cities in the United States and Canada to receive the award.

Councilmembers expressed their congratulations to Mr. Lewandowski.

CONSENT AGENDA

2. Considered approval of the minutes for the September 6 and 13, 2016 City Council meetings.
3. Considered Ordinance 2329, second reading, to consider SP-16-06, Precinct Ridge Office Park, a site plan revision for Lots 3 and 5, Block 1, Precinct Ridge Addition, being 1.63 acres located at 6140 and 6148 Mid Cities Boulevard.
4. Considered Ordinance 2330, second reading, to consider SP-16-07, First Baptist Church Hurst, a site plan revision for Lot BR, Block 55, Mayfair Addition, being 11.15 acres located at 1801 Norwood Drive.
5. Considered authorizing the city manager to enter into an Engineering Services Contract with Deltatek, Inc., for engineering services for the Tarrant County College (TCC) Elevated Storage Tank Renovation Project.

Councilmember Wilson moved to pass the consent agenda. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

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

BUDGET RELATED ITEM(S)

6. Considered Ordinance 2331 (a), second reading, adopting budget for fiscal year beginning October 1, 2016 and ending September 30, 2017.

Councilmember Wilson moved to pass Ordinance 2331 (a) on second reading. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

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

7. Considered Ordinance 2331 (b), second reading, ratifying the Property Tax Revenue Increase reflected in the Fiscal Year 2016-2017 Budget.

Councilmember Wilson moved to pass Ordinance 2331 (b) on second reading. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

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

8. Considered Ordinance 2332, second reading, setting the tax rate for the 2016 tax year.

Councilmember Cobern moved, "I move that the property tax rate be increased by the adoption of a tax rate of \$0.5879, which is effectively a 6.7 percent increase in the tax rate." Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

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

9. Considered Ordinance 2333, second reading, approving all water and wastewater rates for Fiscal Year 2016-2017.

Councilmember McLendon moved to approve Ordinance 2333, including the proposed water and wastewater rates effective October 1, 2016, to be included in all City utility bills processed on, or after, November 1, 2106. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

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

PUBLIC HEARING(S) AND RELATED ITEM(S)

10. Conducted a Public Hearing to consider the amendment of land use assumptions, capital improvements plan, and the impact fees imposed by the City.

Mayor Ward announced a public hearing to consider the amendment of land use assumptions, capital improvements plan, and the impact fees imposed by the City and recognized Executive Director of Public Works Greg Dickens who noted the memo to the Council from the Advisory Committee regarding the recommendation of approval. Mr. Dickens stated the public hearing is dictated by state regulation and Council action is scheduled for the October 11, 2016 City Council meeting. Mr. Dickens introduced Jessica Brown, Freese and Nichols, Inc., who provided an overview of the study for 2015/2016. Ms. Brown reviewed basis for the fees, the process to establish the fees, and the responsibilities of the Advisory Committee.

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

In response to Councilmembers' questions, Executive Director of Public Works Greg Dickens stated the Advisory Committee recommends staying at the current rate and explained that the City of Fort Worth is currently going through the same process and has not determined a fee structure.

11. Conducted a Public Hearing to consider Z-16-01, Putt-Putt Golf and Games, a zoning change from OC to OC-PD with a site plan for Lot 1R, Block 1, Putt-Putt Golf and Games Addition, being 8.414 acres located at 609 Northeast Loop 820.

Mayor Ward announced a public hearing to consider Z-16-01, Putt-Putt Golf and Games, a zoning change from OC to OC-PD with a site plan for Lot 1R, Block 1, Putt-Putt Golf and Games Addition, being 8.414 acres located at 609 Northeast Loop 820 and recognized applicant Corey Waylin of Fitzgerald Architects, representing the Smith family. Mr. Waylin stated the original facility was over 6,000 square feet, was increased to 21,000 square feet, and now proposed to be 57,000 square feet. He stated they will have the same site amenities, except the bumper boats, and are adding two stories of bowling. Mr. Waylin reviewed the proposed elevations, ingress and egress approved

by the Texas Department of Transportation and site lighting in the parking lot, which will be directed away from neighbors.

Mayor Ward noted the following individuals who provided speaker cards in favor of the application, but did not wish to speak: Connie Smith, Brian Smith, Jeanette Smith and Kenneth Smith.

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

In response to Councilmembers' questions, Mr. Waylin stated they are ready to start construction and are waiting on FEMA. He stated the proposed parking is similar to their other facility at 3.3 occupants per car, and they are comfortable with the 216 parking spaces. He stated the boutique lanes include a seating area and food service.

12. Considered Ordinance 2334, first reading, adopting Z-16-01, a zoning change from OC to OC-PD with a site plan for Lot 1R, Block 1, Putt-Putt Golf and Games Addition, being 8.414 acres located at 609 Northeast Loop 820.

Councilmember Booe moved to approve Ordinance 2334, first reading, adopting Z-16-01, a zoning change from OC to OC-PD with a site plan for Lot 1R, Block 1, Putt-Putt Golf and Games Addition, being 8.414 acres located at 609 Northeast Loop 820. Motion seconded by Councilmember Wilson. Motion prevailed by the following vote:

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

No: None

13. Conducted a Public Hearing to consider SP-16-05, Norwood North, a site plan for a portion of Lot A1, Block 1, Norwood North Addition, being 1.003 acres located at 500 Grapevine Highway.

Mayor Ward announced a public hearing to consider SP-16-05, Norwood North, a site plan for a portion of Lot A1, Block 1, Norwood North Addition, being 1.003 acres located at 500 Grapevine Highway and recognized Michael Hermansen of Hermansen Development, who stated the proposal will utilize excess parking space at the current Bank of Texas building. Mr. Hermansen stated the proposed building will have 9,000 square feet including restaurants and retail. He stated the tenants have not yet been identified, and reviewed proposed renderings including the current Bank of Texas sign, and the two proposed multi-tenant monument signs. He stated the majority of trees on the property will be saved.

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

14. Considered Ordinance 2335, first reading, adopting SP-16-05, Norwood North, adopting a site plan for a portion of Lot A1, Block 1, Norwood North Addition, being 1.003 acres located at 500 Grapevine Highway.

Councilmember McLendon moved to approve SP-16-05 Norwood North, a site plan for a portion of Lot A1, Block 1 Norwood North Addition, being 1.003 acres located at 500 Grapevine Highway and Ordinance 2335. Motion seconded by Councilmember Welton.

Motion prevailed by the following vote:

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

No: None

15. Conducted a Public Hearing to consider Z-16-03, Public Storage, a zoning change from GB-PD to OC-PD with a concept plan on a portion of Lot 3, Block 1, Crestview Highway 26 Addition, being 3.49 acres located at 759 Grapevine Highway.

Mayor Ward announced a public hearing to consider Z-16-03, Public Storage, a zoning change from GB-PD to OC-PD with a concept plan on a portion of Lot 3, Block 1, Crestview Highway 26 Addition, being 3.49 acres located at 759 Grapevine Highway and recognized Grey Stogner of Crestview Real Estate, 12720 Hillcrest, Suite 650, Dallas, Texas, who stated they purchased the property a couple of years ago, and reviewed the current development including CareNow, Chic fil A, and general retail. Mr. Stogner stated Public Storage officials expressed interest in the backside of the property. Mr. Stogner introduced Maxwell Fisher of Jackson Planning, representing Public Storage, who reviewed the proposed project for the three story, climate control project. Reviewed were peak hours, trip generation, grade differentials between the proposed site and the residential area, elevations, security and lighting.

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

In response to Councilmembers' questions, Mr. Fisher stated, though typically wrought iron, the fencing on the south side is chain link.

16. Considered Ordinance 2336, first reading, adopting Z-16-03, Public Storage, a zoning change from GB-PD to OC-PD with a concept plan on a portion of Lot 3, Block 1, Crestview Highway 26 Addition, being 3.49 acres located at 759 Grapevine Highway.

Councilmember Wilson moved to approve Zoning case Z-16-03, Public Storage, a zoning change from GB-PD to OC-PD with a concept plan on a portion of Lot 3, Block 1, Crestview Highway 26 Addition, being 3.49 acres located at 759 Grapevine Highway and Ordinance 2336. Motion seconded by Councilmember Cobern. Motion prevailed by the following vote:

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

No: None

PLAT(S)

17. Considered P-16-04, Putt-Putt Golf and Games Addition, a replat of Lot 1 to Lot 1A, Block 1, Putt-Putt Golf and Games Addition, being 8.414 acres located at 609 NE Loop 820 Highway.

Mayor Ward recognized applicant Corey Waylin of Fitzgerald Architects who reviewed the proposed plat. In response to Councilmember Wilson's question, City Engineer Greg Dickens stated engineering reviewed the plans and everything is in order.

Councilmember Wilson moved to approve P-16-04, Putt-Putt Golf and Games Addition, a replat of Lot 1 to Lot 1A, Block 1, Putt-Putt Golf and Games Addition, being 8.414 acres located at 609 NE Loop 820 Highway. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

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

18. Considered P-16-05, Norwood North Addition, a replat of Lot A1 to Lots A1A and A1B, Block 1, Norwood North Addition, being 4.795 acres located at 500 Grapevine Highway.

Mayor Ward recognized applicant, Michael Hermansen, who stated he would answer any questions.

Councilmember Welton moved to approve P-16-05, Norwood North Addition, a replat of Lot A1 to Lots A1A and A1B, Block 1, Norwood North Addition, being 4.795 acres located at 500 Grapevine Highway. Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

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

19. Considered P-15-07, Lifegate Addition, a final plat of Lot 1, Block 1, Lifegate Addition, being 2.52 acres located at 1345 Yates Drive.

Mayor Ward recognized Mikey Freed, 9400 Old Decatur Road, Fort Worth, Texas, who stated he would answer any questions.

Councilmember Wilson moved to approve P-15-07, Lifegate Addition, a final plat of Lot 1, Block 1, Lifegate Addition, being 2.52 acres located at 1345 Yates Drive. Motion seconded by Councilmember Cobern. Motion prevailed by the following vote:

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

ORDINANCE(S)

20. Considered Ordinance 2337, first reading, setting forth registration requirements and credit extension guidelines for credit access businesses.

Mayor Ward recognized Executive Director of Development Steve Bowden who reviewed the proposed Ordinance noting the Cities of Hurst, Euless and Bedford have worked together to join a number of Texas cities that have adopted ordinances aimed at ending the cycle of debt and helping borrowers to be successful in paying back their loans. He stated the three cities are recommending ordinance language that mirrors the Texas Municipal League recommendation. He noted the businesses must register with the City, maintain accessible records and follow parameters for the amount that may be borrowed and the rules on refinancing or renewals.

City Manager Caruthers noted that both the City of Euless and Bedford will consider this same regulation this week in that the cities are trying to be unified in this effort. Councilmembers expressed a belief that the state should regulate this industry, but have failed, leaving it to the cities to protect citizens.

Councilmember Kitchens moved to approve Ordinance 2337, setting forth registration requirements and credit extension guidelines for credit access businesses and providing a penalty. Motion seconded by Councilmember McLendon.

Councilmember Wilson noted some businesses charge over five-hundred percent. City Manager Caruthers stated he believes TML has included as much language as possible to protect from predatory lending, in that rates are governed at a different level. Mr. Caruthers stated staff is still discussing, but monitoring will probably be through the Planning and Building Departments.

Motion prevailed by the following vote:

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

RESOLUTION(S)

21. Considered Resolution 1655 authorizing the Local Project Advance Funding Agreement for the Green Ribbon Landscape Improvements Project.

Mayor Ward recognized Deputy City Manager Allan Heindel who stated agenda items 21 and 22 go hand and hand. He reviewed the Green Ribbon Landscape Improvement Grant program, noting this is the third project for the City, and provided a brief overview of the previous projects, including Plainview Landscaping Project and the Highway 10 medians between Holder Circle and Bell Helicopter Boulevard. Mr. Heindel reviewed the grant project process noting staff submitted an application and was awarded a grant, in the amount of \$766,000, for landscape improvements in the Highway 10 medians east of Highway 820/183 to Precinct Line Road. To officially begin, Texas Department of Transportation (TXDOT) requires the Council approve the proposed resolution that authorizes a project specific interlocal agreement called the Local Project Advance Funding Agreement. Mr. Heindel reviewed the median expenses, landscape materials and phases for the project. He noted the funding impact is carried in the contract with Kimley-Horn for design and engineering services at \$87,045, and at the time the project is let for construction, it is estimated that the City's share will be approximately \$21,000.

Councilmembers noted that a number of people that drive on Hurst Boulevard do not live in Hurst, and this is all they see, so it is wonderful to provide a nicer view of the City. Council expressed appreciation for the TxDOT funding of the landscape projects. Councilmember Cobern moved to approve Resolution 1655 authorizing the Local project Advance Funding Agreement for the Green Ribbon Landscape Improvements Project. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

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

ACTION ITEM(S)

22. Considered authorizing the city manager to enter into an Agreement with Kimley-Horn and Associates, Inc. to provide the design and engineering services for the Green Ribbon Landscape project.

Councilmember Wilson moved to authorize the city manager to enter into an Agreement with Kimley-Horn and Associates, Inc., to provide the design and engineering services for the Highway 10 Green Ribbon Grant Project, in the amount of \$87,045, with funding from the Special Projects Fund. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

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

No: None

23. Considered authorizing the city manager to enter into an agreement with Catalyst Commercial Inc. to complete a redevelopment plan.

Mayor Ward recognized Executive Director of Development Steve Bowden who stated that as part of the Council's Strategic Vision for 2016/2017, Council identified the need for a concentrated economic development focus. Mr. Bowden noted the need for creation of a redevelopment plan that will help identify and detail the highest and best use of properties while also reviewing zoning and infrastructure. He stated staff interviewed Catalyst Commercial Inc., and although Jason Claunch could not be present this evening, representative Jay Narayana is present to review the proposed agreement and scope of services. Ms. Narayana provided an overview of the agreement including market assessments, strategies to evaluate the market, public private partnership strategies, and evaluation needs for property enhancement incentives. Ms. Narayana reviewed the scope of services noting southeast Hurst will be the initial focus area. Councilmember Wilson noted work session discussions to allow Council additional time to review.

Councilmember Wilson moved to postpone this item to the next Council meeting. Motion seconded by Councilmember Cobern. Motion prevailed by the following vote:

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

No: None

Councilmember Kitchens stated there are some items in the scope of services that may need additional details. One item, rather than a large community meeting, consider small group meetings in the area. He stated the Neighborhood Community Advisory Committee will be a viable group along with the Planning and Zoning Commission.

OTHER BUSINESS

24. Review of upcoming calendar items – City Manager Caruthers reviewed the following calendar items:
- National Night Out, October 4, 2016 5:30 p.m. to 8:00 p.m.

25. City Council Reports – No reports were given.

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

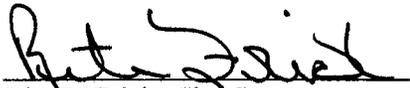
Mayor Ward recognized Christopher Strong, 1524 Juliet Place, who expressed support of recently passed Ordinance 2321, regarding the use of hands free devices in automobiles and suggested communication methods to inform the public why the police are exempt.

ADJOURNMENT

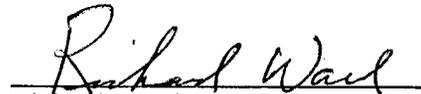
The meeting adjourned at 8:05 p.m.

APPROVED this the 11th day of October 2016.

ATTEST:


Rita L. Frick, City Secretary

APPROVED:


Richard Ward, Mayor