

**City of Hurst
City Council Minutes
Tuesday, January 9, 2018**

On the 9th day of January 2018, 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
Henry Wilson	)	Mayor Pro Tem
Bill McLendon	)	Councilmembers
Nancy Welton)	
Larry Kitchens)	
David Booe)	
Trasa Cobern)	
Clay Caruthers	)	City Manager
Allan Heindel	)	Deputy City Manager
John Boyle	)	City Attorney
Rita Frick	)	City Secretary
Greg Dickens	)	Executive Director of Public Works
Clayton Fulton	)	Executive Director of Fiscal and Strategic Services
Steve Bowden	)	Executive Director of Development
Malaika Marion Farmer	)	Executive Director of Administration and Customer Service
Michelle Lazo	)	Managing Director of Development
Kara McKinney	)	Public Information Officer
Shelly Kline	)	Customer Service Technologies Administrator
Matt Holloway	)	Fleet Services Manager

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.

Mayor Pro Tem Kitchens gave the Invocation.

The Pledge of Allegiance was given.

PRESENTATION(S)

1. Presentation of Communications Division 2017 State and National Awards. Executive Director of Administration and Customer Service Malaika Marion Farmer presented the following awards received by the Marketing and Communication Division and recognized Public Information Officer Kara McKinney and Customer Service Technologies Administrator Shelly Kline for their hard work and representation of the

City. Ms. Farmer thanked the City Council and City Manager for their support of the communication team. Awards received were: TAMIO TAMI Awards (the highest honor awarded) for best website and publication for the City's *Where We Live* magazine; TAMIO TAMI Award of Honor (third place) for the Where We Live mobile app.; Grancius and the National Association of Government Web Professionals with the 2017 Digital Achievement Award (Capstone Award); and the 2017 Pinnacle Award, top recognition in the City/County Small Population Group celebrating excellence and innovation in government websites.

CONSENT AGENDA

2. Considered approval of the minutes for the December 12 and 14, 2017, City Council meetings.
3. Considered approval of Ordinance 2375, second reading, to vacate and abandon a 15-foot wide Sanitary Sewer Easement platted as part of Lot A1B, Block 1, of the Norwood North Addition.
4. Considered Ordinance 2376, second reading, SP-17-09 Aldi Food Market, a site plan revision for Lot 20R, Block 1, Green Tree Addition, being 2.37 acres located at 1628 Precinct Line Road.
5. Considered Ordinance 2378, second reading, SP-17-07 The Learning Experience, a site plan for Lot 3R, Block 1, Crestview Addition, being 3.795 acres located at 759 Grapevine Highway.
6. Considered Ordinance 2379, second reading, SP-17-05 Texas Tire, a site plan for Lot A1, Block 1, H. Bennet Addition, being 3.08 acres located at 1505 W. Hurst Boulevard.
7. Considered Ordinance 2381, second reading, Z-17-06 Friendship Baptist Church, a zoning change with a site plan for Lots 7 and 8, Block 2, Hurst Hills Addition, being .586 acre located at 117 and 121 Belmont Street.
8. Considered authorizing the city manager to sign an addendum to the existing Retirement Plan Consulting Services Agreement with Kestra Advisory Services, LLC, to provide consulting services and share in investment fiduciary responsibility for the voluntary 457 Retirement Plan.
9. Considered authorizing the city manager to enter into a Contract for Citywide Data and Telecommunications with Cingl Telecommunications, LLC, and Superior Fiber and Data Services, Inc., for thirty-six months with an option for two additional twelve-month renewals.
10. Considered ratifying the action of the city manager's replacement of the critical network firewalls, under the Emergency Purchasing Guidelines.

Councilmember Booe moved to approve the consent agenda. Motion seconded by Councilmember Cobern. Motion prevailed by the following vote:

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

PUBLIC HEARING(S) AND RELATED ITEM(S)

11. Conducted a public hearing to consider Z-17-04 Sprouts Crossing, a zoning change with a site plan from GB to GB-PD for Lot 5, Block A, The Haven Addition, and a site plan revision for Lots 5 and 3R1A, Block 2, Woodbridge Plaza Addition, being 7.48 acres located at 200, 300 and 316 Grapevine Highway.

Mayor Ward announced a public hearing to consider Z-17-04 Sprouts Crossing, a zoning change with a site plan from GB to GB-PD for Lot 5, Block A, The Haven Addition, and a site plan revision for Lots 5 and 3R1A, Block 2, Woodbridge Plaza Addition, being 7.48 acres located at 200, 300 and 316 Grapevine Highway and recognized Managing Director of Development Michelle Lazo who reviewed the proposed case. Ms. Lazo stated the applicant purchased the Sprouts Shopping Center and the retail strip on the northwest corner of Antwerp Drive and Grapevine Highway and plans to demolish the strip retail on Antwerp and add two new retail buildings. Ms. Lazo reviewed ingress and egress to the property, tree preservation and landscaping, a proposed six foot masonry screening wall on the north side of the new retail buildings, plans to update the existing Sprouts Shopping center and add zero foot-candle lighting. She stated the applicant is requesting the Clerestory feature on the site plan, be an optional feature on the building and not required by site plan. Ms. Lazo stated site plan note #15 was added for no outdoor music and #16 to address the Oncor utility easement to the north for the applicant to work with Oncor and the residents for the 6' masonry screening requirement. She stated the applicant is proposing to enhance the existing signage, add building signs on the south, east, and west elevation of building D and on each elevation of building E., and add a six foot multi-tenant monument sign on Antwerp.

Mayor Ward recognized Melissa Lindelow, attorney for the applicant, who reviewed the proposed center plans and design, which will combine the two centers. Ms. Lindelow noted the extensive work to bury utility lines, reviewed the 6' masonry screening wall and addressed the outdoor music concerns of neighbors by prohibiting outdoor music. She also stated the new building and extensive landscaping will act as a sound buffer for the residents. She stated the submittal dated November 1, 2017, which Ms. Lazo handed out in work session, is what the applicant is asking the Council to agree to this evening.

Mayor Ward recognized the following individuals who asked questions, stated concerns and also expressed appreciation for the area enhancements. Concerns included, the slope of some residential yards backing up to the development and the height of the fence relative to the slope; additional noise from new businesses, types of businesses with late hours, music and safety concerns: James Cleaver, Marla Engles, 213 Brazil Drive, Hurst, Texas and Quin Sun, 401 Brazil Drive, Hurst, Texas.

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

In response to Councilmembers' questions, Ms. Lindelow stated she would coordinate the improvements with homeowners regarding the fence and attachment to the development fence. She stated the proposed fence meets code requirements and the existing fence near Sprouts will be enhanced with landscaping. She stated the land use requirement to exclude the certain businesses discussed by Council was fine, but some of the existing tenants could not be removed, but the leases would not be renewed. She stated the existing business leases in Wellington will expire April and May 2018 and then demolition and new construction can begin. She also stated the applicant will not appeal property values for 15 years as part of the 380 Agreement. Ms. Lazo stated the utility lines currently existing overhead along the north of the property will be underground on the applicant's side but remain the same on the resident's side. She stated a replat would be done at a later date and there are no issues with the lighting plan.

12. Considered Ordinance 2382, first reading, to consider Z-17-04 Sprouts Crossing, a zoning change with a site plan from GB to GB-PD for Lot 5, Block A, The Haven Addition and a site plan revision for Lots 5 and 3R1A, Block 2, Woodbridge Plaza Addition, being 7.48 acres located at 200, 300 and 316 Grapevine Highway.

Councilmember Wilson moved to approve Z-17-04 Sprouts Crossing, a zoning change with a site plan from GB to GB-PD for Lot 5, Block A, The Haven Addition and a site plan revision for Lots 5 and 3R1A, Block 2, Woodbridge Plaza Addition, being 7.48 acres located at 200, 300 and 316 Grapevine Highway, with the addition of the Clerestory on top of the elevation as optional rather than required; with the addition these businesses in Chapter 17.5 of the City Code of Ordinances not be allowed: tattoo shops, electronic cigarette shops and regular tobacco shops or sexually oriented businesses. Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

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

Councilmember Wilson moved to approve Ordinance 2382 on first reading. Motion seconded by Councilmember Cobern. Motion prevailed by the following vote:

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

13. Conducted a public hearing for the FY 2018, 44th Year Community Development Block Grant Program.

Mayor Ward announced a public hearing for the FY 2018, 44th Year Community Development Block Grant Program and recognized Executive Director of Public Works Greg Dickens who stated this is the 44th year for the Community Development Block Grant (CDBG) Project and reviewed the requirements for projects under the program. He stated the purpose of the public hearing is to receive citizen input for the program. That staff reviewed eligible areas and considered the possibility for the next project to be an

extension of Sherri Drive from Reed to Cavender, which would add to the previous project. Mayor Ward spoke regarding the benefits of the program and Mr. Dickens stated the City saved approximately two million dollars by participating in the CDBG Program.

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

ORDINANCE(S)

14. Considered Ordinance 2380, second reading, SP-17-08 Jack in-the-Box, a site plan for Lot 3, Block 1, Kinsan Addition, being 1.49 acres located at 1491 Precinct Line Road.

Mayor Ward recognized Managing Director of Development Michelle Lazo who reviewed the proposed case. Ms. Lazo noted the applicant is proposing a new prototype Jack-in-the-Box located south of the former Pollo Tropical, reviewed the drive-thru and speaker box, which was moved to the west side, 6' existing screening wall, landscaping, signage and shared access. She stated the lighting plan shows zero foot candles at the property line.

In response to Councilmembers' questions, Ms. Lazo stated the vacant Pollo Tropical restaurant's speaker box is located on the opposite side of the building from the residents.

Councilmember Kitchens moved to approve SP-17-08 Jack in-the-Box, a site plan for Lot 3, Block 1, Kinsan Addition and Ordinance 2380. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

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

No: None

15. Considered Ordinance 2383 amending Ordinance No. 1 regarding the City Council's Rules of Procedure.

Mayor Ward recognized City Secretary Rita Frick who reviewed the proposed Ordinance allowing for the amendment of the City Council's Rules of Procedure by Resolution.

Councilmember McLendon moved to approve Ordinance 2383, first reading, amending Ordinance No. 1 regarding the City Council's Rules of Procedure. Motion seconded by Councilmember Cobern. Motion prevailed by the following vote:

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

No: None

RESOLUTION(S)

16. Considered Resolution 1688 continuing support and participation in the Community Powered Revitalization Program and agreeing to expenditures allowed under the Texas Local Government Code Chapter 380 for the promotion of economic development.

Mayor Ward recognized Managing Director of Development Michelle Lazo, who reviewed the Community Powered Revitalization "CPR" Program, noting the joint program started in 2010 with the City of Euless and 6Stones Mission Network. She stated the CPR Program provides outreach to those in need of property maintenance. She stated the agreement provides the City match 30% of the improvement cost, not to exceed \$25,000 annually and an annual lump sum administrative fee of \$25,000. Ms. Lazo introduced Teresa Grady and Cody Bettis, with 6Stones, who provided an overview of homes completed, volunteer hours, in-kind donations and financial impact, since 2010, in Hurst. Also reviewed were 2018 commitments for new groups and events. Mr. Bettis presented a plaque to Councilmember Booe in appreciation for his service on the Board and stated Councilmember Cobern would be joining the Board. Councilmember Booe and Cobern expressed appreciation for the service 6Stones provides to the community.

Councilmember Cobern moved to approve Resolution 1688 supporting the Community Powered Revitalization Program and authorizing the city manager to make payments to 6Stones as allowed under the Texas Local Government Code Chapter 380, based on projects completed, in an amount not to exceed \$25,000, and a one-time lump sum payment of \$25,000 to support CPR staff. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

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

17. Considered Resolution 1689 calling the May 5, 2018 General Election.

Councilmember Wilson moved to pass Resolution 1689. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

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

18. Considered Resolution 1690 changing the names of small portions of Heneretta Drive and Taylor Drive to Sandstone Drive.

Mayor Ward recognized Executive Director of Public Works Greg Dickens who reviewed the proposed street name changes for small portions of Heneretta Drive and Taylor Drive to Sandstone Drive connecting to Hurstview Drive. He stated there are no residences fronting on these segments and no home addresses will be impacted by the street name change.

Councilmember Welton moved to approve Resolution 1690 to change the names of those portions of Heneretta Drive and Taylor Court west of Hurstview Drive, to "Sandstone Drive." Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

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

No: None

ACTION ITEMS(S)

19. Considered authorizing the city manager to enter into the first one-year extension to a Professional Facilitations Agreement with The Management Connection.

Mayor Ward recognized City Manager Clay Caruthers who expressed his appreciation for the services provided by The Management Connection. Mayor Ward recognized Joe Gonzalez, President of The Management Connection who provided a brief overview of their services to the City, including leadership development and strategic leadership process, and thanked the Council for allowing them to work with the City. Councilmembers expressed appreciation for the work provided by The Management Connection and it being instrumental to the development of the culture in the City.

Councilmember Kitchens moved to authorize the city manager to enter into the first one-year extension to a Professional Facilitation Services Agreement with The Management Connection, in an amount of \$47,000, a 10% contingency, and reimbursement for all travel. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

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

No: None

20. Considered authorizing the city manager to purchase (6) six vehicles from approved vendors.

Mayor Ward recognized Executive Director of Administration and Customer Service Malaika Marion Farmer who introduced Fleet Service Manager Matt Holloway and reviewed the fleet replacement schedule and process noting this request for six vehicles is budgeted. She stated the total for all quotes received is \$183,074 and \$216,000 was budgeted. Ms. Farmer stated the remaining budgeted funds will be used to purchase and install the necessary equipment after determining what can be reused from the existing units.

In response to Councilmembers' questions, Mr. Holloway stated most replacements are over 100,000 miles.

Councilmember McLendon moved to authorize the city manager to purchase (6) six vehicles from approved vendors, in the amount of \$183,074. Motion seconded by Councilmember Cobern. Motion prevailed by the following vote:

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

No: None

OTHER BUSINESS

- 21. Councilmembers reviewed of the following advisory board meeting minutes:
 - HEB Teen Court Advisory Board
- 22. Review of upcoming calendar items – No items were reviewed.

City Council Reports - Items of Community Interest – Councilmember Booe noted his reappointment to the National League of Cities FAIR Committee.

PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED – No one spoke.

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 Section 551.071, Consultation with City Attorney to seek advice regarding Pending or Contemplated Litigation or Settlement Offers (CN Churchill IV LLC) and to reconvene in Open Session at the conclusion of the Executive Session.

- 23. Conduct any and all action necessary ensuing from Executive Session. No action was taken.

ADJOURNMENT

The meeting adjourned at 8:01 p.m.

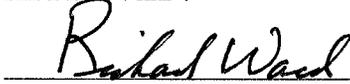
APPROVED this the 23rd day of January 2018.

ATTEST:



Rita L. Frick, City Secretary

APPROVED:



Richard Ward, Mayor