

**City of Hurst
City Council Minutes
Tuesday, April 24, 2018**

On the 24th day of April 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
Duane Hengst	)	City Engineer
Steve Bowden	)	Executive Director of Economic Development
Kara McKinney	)	Public Information Officer
David Palla	)	Fire Chief
Michelle Lazo	)	Executive Director of Planning and Development

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.

Mayor Ward noted his difficulty in speaking due to hoarseness and turned the meeting over to Mayor Pro Tem Wilson.

PRESENTATION(S)

1. Presentation by Hurst-Eules-Bedford Independent School District (HEBISD) representative Kiera Elledge on the 2018 HEB Reads! Program

Mayor Pro Tem Wilson recognized Library Director Jesse Loucks who introduced HEB ISD Librarian Kiera Elledge who provided an overview of the HEB Reads! Program. Ms. Elledge reviewed reading minute statistics from each city, noted Councilmember

Welton read over 22,000 minutes in the adult program, and explained the many benefits for the children in the program. Ms. Elledge also outlined new initiatives for the coming year and the debut of the mobile outreach unit, Think Tank and the summer program plan to provide students hot meals five days a week along with literacy and stem activities. She expressed appreciation to the Council and staff for their participation and noted this year's kick off event is planned for May 5, 2018, at Pennington Field, and encouraged everyone to get involved. Councilmember Cobern stated the program is the definition of synergy with everyone coming together to do good things, and, as a teacher, sees the benefits to students.

CONSENT AGENDA

2. Considered approval of the minutes for the April 10 and 17, 2018 City Council meetings.
3. Considered Ordinance 2385, second reading, amending Chapter 9.5 of the Hurst Code of Ordinances and authorize the city manager to sign an amended contract with Allied Waste Services of Fort Worth, LLC, for residential, commercial and industrial trash and residential recycling.
4. Considered authorizing the city manager to enter into an annual contract with Northeast Paint and Body, Inc. for automotive body repair and painting services with the option to renew for four additional twelve-month periods.

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)

5. Conducted a public hearing to consider SP-18-02 Provision at North Valentine, a site plan for Lot AR, B, and C, Block 1, Meyers Park Addition, being 5.67 acres located at 225, 237, 241 W. Bedford Eules Road.

Mayor Pro Tem Wilson announced the public hearing to consider SP-18-02 Provision at North Valentine, a site plan for Lot AR, B, and C, Block 1, Meyers Park Addition, being 5.67 acres located at 225, 237, 241 W. Bedford-Eules Road and recognized City Attorney John Boyle who reviewed a legal opinion regarding the proposed case. He explained the property was zoned, by the Hurst City Council, as a mixed-use planned development overlay district by the approval of Ordinance 1932 in October 2004, with the underlying zoning district of GB General Business. The overlay district encourages high density mixed-use development with an above grade residential or office component. He reviewed permitted uses and stated a mixed-use project, as defined, is

permitted by right if all general conditions are met on an approved site plan. Mr. Boyle stated the review of the site plan is basically ministerial to determine and ascertain if all requirements of Ordinance 1932 have been met, and if consistent with and satisfies the subject ordinance, the site plan is required to be approved. Mr. Boyle stated staff reviewed and concluded all requirements have been met and the Planning and Zoning Commission reviewed and concluded all requirements have been met. Mayor Pro Tem Wilson stated he asked the attorney to review the legal opinion so the audience will understand the basis of the Council decision.

Mayor Pro Tem Wilson recognized Executive Director of Planning and Development Michelle Lazo who reviewed the proposed project noting the applicant Gardner Capital is planning to demolish the existing retail center at 241 W. Bedford-Eules Road and develop a gated multi-family community with 96 units, a club house, swimming pool, playground area, and private detention pond. She stated the area to the south will remain vacant with a drainage and utility easement utilized for a detention pond on the southeast side. She stated the property faces Bedford-Eules Road with no access to Valentine Street and reviewed the access points. The buildings are two-story with one and two bedroom units. She stated they will try to maintain existing trees, but will mitigate some, and are exceeding landscape requirements. Ms. Lazo reviewed the lighting plans, decorative lighting plans, and elevations noting Juliet balconies, masonry materials including brick, stone and stucco, and fencing materials.

Mayor Pro Tem Wilson recognized applicant John Palmer, Gardner Capital, who reviewed the proposed project noting it will be a community asset. He commended the citizen's interest and involvement in the community and thanked citizens that invited him to their homes even though they may have a difference of opinion. Mr. Palmer noted the City's revitalization plan and Gardner Capital's potential interest in a piece of property, roughly 10 acres, that is available for special investment. He stated Gardner Capital is not just interested in building a single community, but to consider multiple opportunities to build in the City. Mr. Palmer reviewed their developments in area cities and hopes the community will recognize Gardner Capital as an investment partner. Mr. Palmer reviewed the project and the differences between the proposed project and the one denied by Council December 12, 2017, and changes made based on conversations with citizens. He stated this project will have almost 4 acres of open space in the back, which is an asset and he is open to the resident's suggestions regarding fencing and the detention pond. He stated the development's occupancy requirements of 2 individuals per bedroom are less than the City's requirements, and defines who may live there and the sustainability of the project. Mr. Palmer reviewed the rent structure and noted the goal is to provide affordable housing, and the new construction is part of a program designed to eliminate public housing. He compared the rental fees to area apartments and noted of the 96 units, 8 one bedroom units and 16 two bedroom units are considered affordable. He explained occupants would probably be current community residents such as the elderly, widow spouses, and returning veterans, who are on fixed incomes. He explained the residency requirements, which includes no criminal history, poor credit or bad rental history. He stated Gardner Capital is a build and hold company that invests in the people and the community. He stated the distinction they have is on-site management and

maintenance. Mr. Palmer introduced Gardner Capital attorney Art Anderson, 2728 N. Harwood, Dallas, who stated he has been a land use attorney for 35 years and agrees with the City Attorney's opinion.

Mayor Pro Tem Wilson opened the public hearing and recognized the following individuals who asked questions and expressed concerns, including why the development was being considered after recently being denied by Council; perimeter fencing material being chain link instead of masonry; impact to school and students; increased traffic and speeding; a beautiful development but in the wrong location; lack of traffic study; two story building eliminating privacy for surrounding homes; effect on property taxes; subsidized property; maintenance of property; drainage issues; retaining wall height; sewer easement capacity of storm water system; only one entrance; government funded housing; a single-use instead of a multi-use development; proposed trees life expectancy; occupancy level per unit; additional need for building inspectors and police; not the solution to resurrecting south Hurst; and apartments traditionally have more problems,

Mike Campbell, 1244 Valentine Street, Hurst, Texas; B.J. Field, 1321 Yates Drive, Hurst, Texas; Penny Black, 204 Olive Street, Hurst, Texas; Lisa Baxley, 1320 Yates Drive, Hurst, Texas; John Boyd, 1335 Yates Drive, Hurst, Texas; Shirley Farrell, 1311 Yates Drive, Hurst, Texas; Jon McKenzie, 1322 Yates Drive, Hurst, Texas; Jimmy McKenzie, 1324 Yates Drive, Hurst, Texas; Susan Cirrincione, 1325 Yates Drive, Hurst, Texas; Barbara Poplin, 212 Bedford Court W., Hurst, Texas; Lex Johnston, 201 Olive Street, Hurst, Texas; Alex Padilla, 208 Olive Street, Hurst, Texas; Lynn Munsey, 1312 Yates Drive, Hurst, Texas; Maddison Steward, 1245 Valentine Street, Hurst, Texas; Denise Duncan, 213 Olive Street, Hurst, Texas; Kristen Linda, 1236 Valentine Street, Hurst, Texas; John Wilson, 1310 Yates Drive, Hurst, Texas; Jeffrey Barnes, 1049 Reed Street, Hurst, Texas; Paul David, 205 Olive Street, Hurst, Texas; Georganna Johnston, 201 Olive Street, Hurst, Texas; Lynn Underwood, 217 Olive Street, Hurst, Texas.

Mayor Ward left the meeting at 8:03 p.m. and returned at 8:23 p.m.

In response to questions, Mr. Palmer reiterated the need for safe and secure new housing in Hurst and the regulations and tenant types that will live in the development. He stated there were a number of non-facts and misconceptions presented tonight and that Gardner Capital has submitted, to City staff, a number of plans including a civil engineering and traffic study. He stated all of the plans meet or exceed required City codes. He reviewed the detention pond plan and flow of water and the intent is to provide proper drainage and not be intrusive. He stated the traffic study suggests no significant impact on the roadway system. Mr. Palmer reviewed a school impact study completed for their Melissa project, and stated, he contends, the majority of future occupants currently live in Hurst including students.

Mayor Pro Tem Wilson closed the public hearing.

In response to Councilmembers' questions Gardner Capital civil engineer Randy Weir, 2201 E. Lamar, Arlington, explained the retaining wall improves the site grade. Mr. Palmer explained the traffic study was an expedited study requested by the Planning and Zoning Commission and an impact analysis summary study to determine the need for a signal for which there is none. City Engineer Duane Hengst reviewed the detention pond design and stated the outfall is not Olive Street, but the storm sewer on Harris. He stated the emergency outfall is Olive Street and will only happen if the rain event exceeds a 100-year event. Mr. Hengst stated the basin is designed to hold a 100-year event and the drainage on Olive Street will be lessened. Mr. Palmer stated whether it is traffic, drainage or environmental, the project exceeds expectation of standards and the objective is to attract additional business to area, and improve the area.

Councilmembers discussed the citizens' concerns and commented regarding the requirements of law as presented by the attorney; the City does not own the property, and private individuals have the right to do what they want on their property as long as it meets minimum City requirements, and noted Councilmembers took an oath to follow the law.

6. Considered Ordinance 2386, first reading, to consider SP-18-02 Provision at North Valentine, a site plan for Lot AR, B, and C, Block 1, Meyers Park Addition, being 5.67 acres located at 225, 237, 241 W. Bedford Eules Road.

Councilmember Cobern moved to approve SP-18-02 Provision at North Valentine, a site plan for Lot AR, B, and C, Block 1, Meyers Park Addition, being 5.67 acres located at 225, 237, 241 W. Bedford Eules Road and Ordinance 2386, first reading of same. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

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

Mayor Pro Tem Wilson recessed the meeting at 9:18 p.m. and reconvened at 9:31 p.m.

Mayor Ward left the meeting.

PLAT(S)

7. Consider Replat P-18-01 Woodcrest Addition, a replat of Lot 9 to Lot 9R, Block 8, Woodcrest Addition Section 4, being .21 acre located at 1429 Woodway Drive

Mayor Pro Tem Wilson recognized Executive Director of Planning and Development Michelle Lazo who reviewed the proposed replat noting the North Tarrant Express Project left many remnant parcels in the City of Hurst and the state deeded four (4) parcels, in the Woodcrest Addition, to the City in 2016. She stated one of the lots meets the requirements for single-family zoning and it will be put to auction.

Councilmember Booe moved to approve P-18-01 Woodcrest Addition. Motion seconded by Councilmember Cobern. Motion prevailed by the following vote:

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

No: None

OTHER BUSINESS

8. Review of the following advisory committee meeting minutes:

- Hurst Economic Development Advisory Committee – September 13, 2017
- Historical Landmark Preservation Committee – March 8, 2018
- Hurst Economic Development Advisory Committee – March 20, 2018

9. Review of upcoming calendar items.

City Secretary Rita Frick reviewed the following: May 5, 2018 General and Special Election dates: Early Voting April 23 through May 1, with hours and polling locations listed on the City and Tarrant County Election websites and Election Day, May 5, 2018, 7:00 a.m. – 7:00 p.m., Hurst Public Library

10. City Council Reports - Items of Community Interest – 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. No one spoke.

ADJOURNMENT

The meeting adjourned at 9:35 p.m.

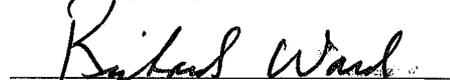
APPROVED this the 8th day of May 2018.

ATTEST:



Rita L. Frick, City Secretary

APPROVED:



Richard Ward, Mayor