

**City Council Minutes**  
**Tuesday, October 22, 2019**

On the 22<sup>nd</sup> day of October 2019, 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:

Henry Wilson	)	Mayor
Larry Kitchens	)	Mayor Pro Tem
David Booe	)	Councilmembers
Jon McKenzie	)	
Cathy Thompson	)	
Cindy Shepard	)	
Clay Caruthers	)	City Manager
John Boyle	)	City Attorney
Matthew Boyle	)	Assistant City Attorney
Rita Frick	)	City Secretary
Clayton Fulton	)	Assistant City Manager
Malaika Marion Farmer	)	Assistant City Manager
Robert Wallace	)	Building Official

With the following Councilmembers absent: Bill McLendon, constituting a quorum; at which time, the following business was transacted:

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

Councilmember McKenzie gave the Invocation.

The Pledge of Allegiance was given. The Texas Pledge was given.

**PRESENTATION(S) AND PROCLAMATION(S)**

1. Presentation of the Texas Amateur Athletic Federation Awards.

Mayor Wilson recognized Recreation Manager Chris Watson who presented the 2018-2019 Texas Amateur Athletic Federation (TAAF) Platinum Member City Award, noting this is the second year to receive the award presented for outstanding registration support for teams, individuals, and training programs. He stated this a testament of the work performed by Recreation Manager Jennifer Kashner and Recreation Coordinator Madison Siles. Additional awards included adult software coordinator Barbara Barnett and Jennifer Kashner for 5 years of service and participation in Games of Texas. Also noted was the 2019 TAAF Region 4 Professional Service Award presented to Recreation Manager Jennifer Kashner for dedication, influence, and leadership in the recreation field.

**CONSENT AGENDA**

Mayor Wilson noted staff expressed the possible need for the November 26, 2019 regular City Council meeting, so on the consent agenda, Council is only considering canceling the December 24, 2019 meeting.

2. Considered approval of the minutes for the September 24, 2019 City Council meetings.
3. Considered Ordinance 2454, second reading, amending City of Hurst Code of Ordinances Section 27-24 "Nonconforming Uses" by adding Section 27-24(n) regarding nonconforming uses created by the right-of-way acquisition by governmental agency.
4. Considered Ordinance 2456, first reading, amending Chapter 22, Section 22-1 Bingo Tax.
5. Considered authorizing the City Manager to enter into a title policy with Rattikin Title Company and fund additional closing cost with funding from the Animal Shelter & Adoption Center Project.
6. Considered authorizing the city manager to purchase annual IT equipment replacement including citywide computers, printers and hardware.
7. Considered authorizing the city manager to enter into Purchase Agreements with Galls, Got You Covered, and GT Distributors for police department uniforms and equipment.
8. Considered authorizing the City Manager to enter into a purchase agreement with NMS Labs and Tarrant County Medical Examiner for evidence processing services.
9. Considered authorizing the City Manager to purchase (1) vehicle and (2) pieces of equipment including a backhoe, concrete saw, and 14' EMS Unit for the fire department.
10. Considered canceling the November 26, 2019 and December 24, 2019 regular City Council meetings.

Councilmember Kitchens moved to approve the consent agenda as amended. Motion seconded by Councilmember Thompson. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, and Shepard  
No: None

**PUBLIC HEARING(S) AND RELATED ITEM(S)**

11. Conducted a Public Hearing to consider SP-19-08 Tompkins Townhomes, a site plan for Lot A, Block 1, Taylor Addition, being .784 acre located at 751 Pipeline Court.

Mayor Wilson announced a public hearing to consider SP-19-08 Tompkins Townhomes, a site plan for Lot A, Block 1, Taylor Addition, being .784 acre located at 751 Pipeline Court and recognized Executive Director of Development Michelle Lazo, who reviewed the proposed site plan noting the applicant is requesting to construct four townhomes and a two unit apartment building. She stated the site is just under an acre, heavily wooded and the cul-de-sac is mainly townhomes with one office. The applicant is proposing four (4) two-story townhomes with a single car garage and a two (2) unit apartment building with a single unit on the first floor and single unit on the second floor. She reviewed the site layout, access points, parking and the landscape plan, which includes saving as many trees as possible and a six feet stockade privacy fence. Also recognized was Construction Manager Ed Cross who was present to answer questions.

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

In response to Council questions, Construction Manager Ed Cross stated there will be fencing on both streets and that he is working with staff as to the requirements.

12. Considered Ordinance 2455, first reading, SP-19-08 Tompkins Townhomes, a site plan for Lot A, Block 1, Taylor Addition, being .784 acre located at 751 Pipeline Court.

Councilmember Shepard moved to approve SP-19-08 Tompkins Townhomes, a site plan located at 751 Pipeline Road and Ordinance 2455. Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, and Shepard

No: None

**PLAT(S)**

13. Considered P-19-04, Woodbridge Plaza Addition, a replat of Lot 2R1 to Lots 2R1-1 and 2R1-2, Block 2, Woodbridge Plaza Addition, being 2.12 acres located at 400 Grapevine Highway.

Mayor Wilson recognized City Manager Clay Caruthers who stated this item came before Council previously and that this is an administrative matter to replat. In response to Council questions, Executive Director of Development Michelle Lazo stated the plat meets engineering requirements.

Councilmember McKenzie moved to approve P-19-04 Woodbridge Plaza Addition. Motion seconded by Councilmember Thompson. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, and Shepard

No: None

**ORDINANCE(S)**

14. Considered Ordinance 2457, first reading, providing for increased prior and current service annuities under the act governing the Texas Municipal Retirement System for retirees and beneficiaries of deceased retirees of the City of Hurst, and establishing an effective date for the ordinance.

Mayor Wilson recognized City Manager Clay Caruthers who stated the City participates in the Social Security System as well as the Texas Municipal Retirement System (TMRS). He noted TMRS has a 90% funded ratio as opposed to various other retirement systems in financial distress. Mr. Caruthers also noted the budgeted amount for retirees is reviewed on an annual basis, is an ad hoc decision and the current request is 30% of the CPI percentage.

Councilmember Thompson moved to adopt Ordinance 2457 providing for increased prior and current service annuities under the act governing the Texas Municipal Retirement System for retirees and beneficiaries of deceased retirees of the City of Hurst at 30% of the percentage change in CPI for All Urban Consumers, and establishing an effective date of the ordinance of January 1, 2020. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, and Shepard

No: None

15. Considered Ordinance 2458, first reading, amending Chapter 12 of the Hurst Code of Ordinances by amending and adding Article XIII, "Convenience Stores".

Mayor Wilson recognized City Manager Clay Caruthers who stated that under the direction of the Council and within the Strategic Plan, staff began the process of ordinance updates. He stated Ordinance 2458 is a recommendation to update the convenience store rules and regulations. Police Chief Steve Niekamp reviewed the proposed ordinance noting the purpose is to increase safety of convenience store employees and patrons by implementing safety procedures. He reviewed convenience store calls for service and the safety measures outlined in the ordinance including safety training, trespass affidavit, security signs and height strips, visibility requirements and alarm systems. Chief Niekamp showed examples of stores with and without visibility issues, and emphasized the need for a clear line of sight. In response to Council questions, Chief Niekamp stated stores are required to maintain a store safety training log that is checked for compliance.

Councilmember Booe moved to approve Ordinance 2458 amending Hurst Code of Ordinances, Chapter 12, by amending and adding Article XIII, "Convenience Stores". Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, and Shepard

No: None

**RESOLUTION(S)**

16. Considered Resolution 1749 Supporting Application for the Combined Mental Health Coordinator Grant to the Office of the Governor for the cities of Hurst, Bedford, and Euless to operate a Combined Mental Health Coordinator.

Mayor Wilson recognized Police Chief Steve Niekamp who stated the City has had a mental health program since 2014. He noted calls for service in 2017 of 992, 748 in 2018 and 639 to date in 2019. He explained by actively addressing the mental health issues, law enforcement is able to reduce calls as well as decrease crime and emphasized training increases the success rate of the program. Chief Niekamp stated the grant application is for \$101,000, and costs not covered by the grant will be split equally between the cities of Hurst, Euless, and Bedford. In response to Council questions, Chief Niekamp explained how the Coordinator assists with medication and well checks.

Councilmember Thompson moved to adopt Resolution 1749 supporting the grant application for the Mental Health Coordinator Grant, from the Office of the Governor, to continue serving the cities of Hurst, Euless, and Bedford. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, and Shepard

No: None

**OTHER BUSINESS**

17. Considered authorizing the city manager to award the Construction Contracts to Green Scaping and City approved vendors for State Highway 10 Phase IV Landscaping Project.

Mayor Wilson recognized Project Manager Eric Starnes who reviewed the Phase IV Landscape Project and various phases. He explained Phase IV improvements in the Highway 10 medians were east of Bell Flight Boulevard and ending at Lake Crest Lane, nearly 5,000 feet long and include drought tolerant plants. Mr. Starnes reviewed the grant application for a funding grant of \$427,000 and a time line for completion in June 2020.

Councilmember McKenzie moved to authorize the city manager to award the Construction Contracts to Green Scaping and City approved vendors, for an amount not to exceed \$447,000 for State Highway 10 Phase IV Landscaping Project. Motion seconded by Councilmember Thompson. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, and Shepard

No: None

18. Considered authorizing the city manager to enter into an Agreement with Dunaway Associates, L.P., to proceed with the dog park architectural and engineering services.

Mayor Wilson recognized Executive Director of Community Services Kyle Gordon who reviewed the site analysis for the animal shelter and proposed dog park. He reviewed the design criteria and the various projects Dunaway Associates has performed for the City. He reviewed the scope of work to include pre-design and base map preparation, schematic design, design development, proposed construction timeline, bidding and construction administration service for a total of \$42,350, which includes a 10% contingency.

Councilmember Kitchens moved to authorize the city manager to enter into an agreement with Dunaway Associates, L.P., to proceed with the dog park architectural and engineering services, for an amount not to exceed \$42,350. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, and Shepard

No: None

19. Council reviewed the following board, commission and committee meeting minutes:

- Library Board
- Parks and Recreation Board
- Hurst Senior Citizens Advisory Board
- Planning and Zoning Commission

20. Review of upcoming calendar items - City Manager Caruthers reviewed calendar items noted in the packet including the Soldiers and Santa Parade application process. Councilmember Shepard noted the November 16, 2019 Bellaire Pop-up event hours were changed to 9:00 a.m. to 4:00 p.m. Councilmember Kitchens also noted the upcoming Cybersecurity event, October 23 and 25, 2019 at the Hurst Library, and emphasized the importance of cybersecurity training.

21. 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.**

Mayor Wilson recognized a number of Tarrant County College students.

**EXECUTIVE SESSION in Compliance with the Provisions of the Texas Open Meetings Law, Authorized by Tex. Government Code 551.074, Personnel - (Evaluation of City Council Appointees) and to reconvene in Open Session at the conclusion of the Executive Session**

Mayor Wilson did not recess to Executive Session noting it was held during the earlier work session

22. Take any and all action ensuing from Executive Session.

Councilmember Kitchens moved to approve Resolution 1751 renewing the employment

agreement entered into by and between the City of Hurst and Lacy Britten, City Judge, with an amendment to the resolution to include an additional two weeks of vacation, for a total of four weeks of vacation. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, and Shepard

Councilmember Kitchens moved to approve Resolution 1752 renewing the employment agreement entered into by and between the City of Hurst and John F. Boyle, Jr., Boyle & Lowry, L.L.P., City Attorney, with an amendment to the resolution to an increase in fees as presented in the letter of request dated September 12, 2019. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, and Shepard

Councilmember Kitchens moved to approve Resolution 1750 renewing the employee agreement entered into by and between the City of Hurst and Clay Caruthers, City Manager with additional compensation in line with staff salary increases, and the same deferred comp as provided last year. Motion seconded by Councilmember Thompson. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, and Shepard  
No: None

**ADJOURNMENT**


The meeting adjourned at 7:32 p.m.

**APPROVED** this the 12<sup>th</sup> day of November 2019.

**ATTEST:**

  
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Rita Frick, City Secretary

**APPROVED:**

  
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Henry Wilson, Mayor