

City Council Minutes
Tuesday, January 14, 2020

On the 14th day of January 2020, 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
Cathy Thompson)	
Bill McLendon)	
Jon McKenzie)	
Cindy Shepard)	
Clay Caruthers	)	City Manager
Matthew Boyle	)	Assistant City Attorney
Rita Frick	)	City Secretary
Clayton Fulton	)	Assistant City Manager
Malaika Marion Farmer	)	Assistant City Manager
Michelle Lazo	)	Executive Director Planning and Development
Kyle Gordon	)	Executive Director Community Services
Greg Dickens	)	Executive Director of Public Works
David Palla	)	Fire Chief
Kara McKinney	)	Public Information Officer

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 Cathy Thompson gave the Invocation.

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

PRESENTATION(S)

1. Presentation of Award for the CPR/AED Save at the Hurst Athletic Center.

Fire Chief David Palla provided an overview of the lifesaving efforts by numerous individuals culminating in a life saved and a family being together on September 13, 2019. He noted the team actions and community involvement necessary for the treatment to be effective includes training, willingness to provide care and access to properly maintained equipment. Chief Palla recognized City of Hurst Facility Services representative Mike Watson, Battalion Chief / EMS Coordinator Wes Rippy, Firefighter Paramedic Luis Flores, participants Eric Lopez, Nicholas Hoover and Kelli Elliot, and

Medical City North Hills EMS Coordinator William Harn who spoke on behalf of the medical staff. He presented the City a plaque for the AED and thanked the City for recognizing AED equipment does save lives.

CONSENT AGENDA

2. Considered approval of the minutes for the December 10, 2019 City Council meetings.
3. Considered Resolution 1760 supporting Application for Combined Crime Victims Coordinator Grant to the Office of the Governor for the cities of Hurst, Euless, and Bedford to operate the Combined Crime Victims Coordinator.
4. Considered Ordinance 2433, first reading, amending Chapter 13, Municipal Court, relevant to the assessment and collection of reimbursement fees and court costs.
5. Considered Resolution 1757 adopting the Hart Verity Voting System.
6. Considered Resolution 1759 adopting the 2020 Tarrant County Hazard Mitigation Action Plan.
7. Considered authorizing the city manager to enter into a contract for network infrastructure maintenance.

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

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

PUBLIC HEARING(S) AND RELATED ITEM(S)

8. Conducted a public hearing and considered the issue of levying civil penalties and status of the repairs for the property located at 450 E. Hurst Blvd, Hurst, Texas; Lot A3, Block 14, of the Holder Estates subdivision (Dakota Place Apartments).

Mayor Wilson announced a public hearing and consider the issue of levying civil penalties and status of the repairs for the property located at 450 E. Hurst Blvd, Hurst, Texas; Lot A3, Block 14, of the Holder Estates subdivision (Dakota Place Apartments) and recognized Assistant City Attorney Matthew Boyle who stated this item is a follow up to prior orders issued to the Dakota Apartment complex. He stated the prior orders were issued September 24, 2019 and November 26, 2019. He stated that as part of the September 24, 2019 order, Council gave the owners of the Dakota Place Apartments until October 24, 2019, to complete all of the repairs of outstanding items necessary on the property. Mr. Boyle stated he is disappointed to report compliance has still not been achieved. Mr. Boyle explained the property owner applied for a building permit just prior to the close of business today for the roof repairs, deemed necessary since 2016. He

stated between November 26, 2019 and today, there have been 49 additional days of non-compliance. In addition, issues of the roofs remain and represent a serious threat to the health, safety, and welfare of the residents. Staff is asking your consideration in calling a public hearing to consider the possible revocation of the Certificate of Occupancy for the Dakota Place Apartments.

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

Councilmember Kitchens expressed concern that a Dakota Place Apartments representative is not present. He stated the Council's intent is not to bother Mr. Mercer or the occupants, but ensure the safety, welfare and health of the occupants. Councilmembers discussed occupancy, civil penalties and a February public hearing date.

Councilmember Thompson moved to approve an Order assessing conditional civil penalties against the owner(s) of the Dakota Place Apartments, in the amount of \$1,000.00 per day for a total amount of \$ \$49,000.00 and calling a public hearing for February 11, 2020, to consider additional civil penalties and the possible revocation of the Certificate of Occupancy for the Dakota Apartments. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

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

No: None

9. Conducted a Public Hearing for the Fiscal Year 2020 – 46th Year Community Development Block Grant Program.

Mayor Wilson announced a public hearing and recognized Executive Director of Public Works Greg Dickens who reviewed the process for the Community Development Block Grant Program. He explained Tarrant County receives the funds from H.U.D. and splits the funding between the cities in the consortium. Mr. Dickens reviewed past projects and noted tonight is to receive public input on possible projects.

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

Executive Director of Public Works Greg Dickens stated an item will be placed on a future City Council agenda for consideration. That staff is proposing a project on a portion of Livingston, based on eligible block areas and the existing paving conditions.

RESOLUTION(S)

10. Considered Resolution 1758 calling the May 2, 2020 General Election.

City Secretary Rita Frick reviewed the proposed resolution calling for the May 2, 2020 General Election.

Councilmember McKenzie moved to approve Resolution 1758 calling the May 2, 2020 General Election of Officers. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

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

OTHER BUSINESS

11. Considered authorizing the city manager to enter into a contract for construction of the Valley View Drive Drainage Improvements (1148 Valley View).

Executive Director of Public Works Greg Dickens reviewed the proposed contract for construction of Valley View Drive drainage improvements noting the natural ground of the rear yards of lots on Belle Street and Bedford Court East, falls toward the west including 1148 Valley View Drive. He explained flooding is occurring and the owners tried to control the overflow through landscaping improvements. Mr. Dickens reviewed plans for repair and stated GRod Construction is the successful low bidder. In response to Councilmember questions, Mr. Dickens stated the contractor has not worked for Hurst, but the results of the vetting process is part of the engineer's recommendation letter. He stated once the construction project begins it should be 50 calendar days for the project to be complete.

Councilmember McLendon moved to authorize the city manager to enter into a contract with GRod Construction, LLC, for Valley View Drive Drainage Improvements (1148 Valley View), in the amount of \$52,930.00, with a contingency of \$5,000.00, for a total amount of \$57,920.00 and a bid time of 50 calendar days. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

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

12. Council reviewed the following board, commission and committee meeting minutes:
- Library Board
 - Parks and Recreation Board
 - Hurst Senior Citizens Advisory Board

13. City Council Reports - Items of Community Interest

Assistant City Manager Malaika Marion Farmer reviewed upcoming calendar items.

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 Boy Scouts in attendance working on merit badges.

Mayor Wilson did not adjourn to Executive Session noting discussion was completed earlier.

EXECUTIVE SESSION in Compliance With the Provisions of the Texas Open Meetings Law, Authorized by Government Code, Section 551.087 deliberation and conducting of economic development negotiations regarding financial information relative to prospective business expansion in the city and Section 551.071, Consultation with City Attorney to seek advice regarding Pending or Contemplated Litigation or Settlement Offers (Dakota Place Apartments) and to reconvene in Open Session at the conclusion of the Executive Session

- 14. Take any and all action ensuing from Executive Session

Councilmember Thompson moved to approve an amendment to the Economic Development Agreement with Hurst One, LLC, as discussed in Executive Session and authorize the City Manager to execute same and to take all other necessary action. Motion seconded by Councilmember McKenzie. Motion prevailed by the following vote:

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

ADJOURNMENT – The meeting adjourned at 7:26 p.m.

APPROVED this the 28th day of January 2020.

ATTEST:



Rita Frick, City Secretary

APPROVED:



Henry Wilson, Mayor