

**Minutes  
Hurst City Council  
Work Session  
Tuesday, May 26, 2020**

On the 26<sup>th</sup> day of May 2020, at 6:00 p.m., the City Council of the City of Hurst, Texas, convened in Work Session at City Hall, 1505 Precinct Line Road, Hurst, Texas, by telephone conference to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus (COVID-19) with the following members present:

Henry Wilson	)	Mayor
Jon McKenzie	)	Mayor Pro Tem
David Booe	)	Councilmembers
Larry Kitchens	)	
Cathy Thompson	)	
Bill McLendon	)	
Cindy Shepard	)	
Clay Caruthers	)	City Manager
Matthew Boyle	)	Assistant City Attorney
Clayton Fulton	)	Assistant City Manager
Rita Frick	)	City Secretary
Rob Duncan	)	Information Technology Manager

With the following Councilmembers absent: none, constituting a quorum, at which time, the following business was transacted:

**I. Call to Order** – The meeting was called to order at 6:00 p.m.

**II. Informational Items**

- **Update and Discussion of upcoming Calendar Items** – City Secretary Rita Frick noted the upcoming Board, Commission and Committee interview process and stated staff will be sending letters of inquiry regarding members who would like to be considered for reappointment. City Manager Caruthers also noted staff was tentatively considering November 17, 18, or 19 for Councilmember McLendon’s retirement ceremony. Mayor Wilson also noted as a result of the current financial challenges, he recommends only in-state travel, which negates National League of City conferences. He stated this was a suggestion, not an edict if someone has committee obligations.

Mayor Wilson moved next to work session item 5 then returned to the following Information Items:

- **Update and Discussion of State and Local reopening plans due to COVID-19** – City Manager Caruthers noted Governor Abbott added additional updates to his order today and is now allowing adult recreation leagues and pools at 25% capacity. He reminded everyone the decision not to open the pools this season was made during the aquatic centers’ recruitment and hiring season, and the governor just announced opening at 25%

capacity. He stated he still believes remaining closed is the most prudent thing to do. He explained a 25% capacity restriction and the required safety measures is a costly endeavor and the operational cost is the primary reason to close, saving approximately \$400,000. He stated property taxes cover about 40% of the general fund budget and that police and fire, alone, exceed that amount. He stated the property taxes are not sufficient to cover public safety and reviewed the decline in sales tax, with May figures being 21% down and a greater decline is expected. Mr. Caruthers noted the July Fourth Stars and Stripes event is also canceled due to budgetary constraints and many area cities are making similar decisions. Mr. Caruthers noted discussions with the youth sports league representatives regarding safety guidelines and scheduling challenges as the governor continues to expand reopenings. He reviewed other City facility and program reopening plans noting the Tennis Center is reopening June 1<sup>st</sup> with use and fee changes and serving as a test case for the cost of service study being conducted. He stated that even with the fee changes, around \$2 per hour for regular play, staff will work with the Tennis Pro to restructure agreements and operate more like a business. He stated Council will have additional discussions at the budget workshops. Mr. Caruthers stated this is an opportunity to review the user fee structure, and the impact on the tax burden. Mr. Caruthers reviewed additional facility openings with City Hall and Municipal Court the first week of June but encouraging online transactions and appointments for in person meetings. He stated the library is open for curbside service and plans to open mid-June along with the Recreation Center. Mr. Caruthers reiterated the focus is on safety and occupancy guidelines and the first City Council meeting in June will be by telephone, while waiting for further direction from the Governor. He stated when an in person meeting is required, the layout will meet the 6' distancing and temperatures will be taken by a Fire Department paramedic. He stated the current plan is only to check temperatures when Council is presiding over a public meeting. Councilmember Kitchens expressed concern that any decision may need reconsideration in several weeks to check the reopening impact and that he had no problem with checking temperatures but some people can be asymptomatic.

- **Discussion of Regional Transportation Council (RTC) representation** – Mayor Wilson noted a letter of support from Euless Mayor Martin for Euless Councilmember Thompson to be the designated representative for the cities cluster group to the RTC. He stated he also suggests that when the Mayor of Trophy Club Nick Sanders term expires in November, they recommend Mayor Pro Tem Jon McKenzie as the alternate member.

Work Session Items III and IV were not discussed in work session.

### **III. Discussion of Agenda Item(s) 2**

Consider authorizing the city manager to enter into an Interlocal Cooperation Agreement with Tarrant County for Municipal Direct Expense Funding

### **IV. Discussion of Agenda Item(s) 3**

Consider ratifying emergency expenditure for COVID-19 testing

**V. Discussion of Agenda Item(s) 4**

Conduct a public hearing and consider the issue of levying civil penalties, possible revocation of the Certificate of Occupancy 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)

City Attorney Matthew Boyle provided an update regarding the Dakota Place Apartments noting the owner has not met the Council's deadline, and provided a draft order for Council's consideration after the public hearing to be held in the regular meeting. In response to Councilmembers questions, Mr. Boyle provided an overview of current legal action filed by the owner noting no validity to the claim. Mayor Wilson noted the governor has lifted the prohibition on evictions, but that would be a last resort. Council discussed the importance of protecting the tenants. City Manager Caruthers noted the certificate of occupancy is for the property in general, but the City can limit which units can be occupied based upon safety, and there are a few units staff has disallowed occupancies. Mr. Boyle stated the liens would be processed the same as any other foreclosure process and that he will pursue the filed case as soon as the courts reopen. Mr. Boyle also noted the criminal activity in the complex and that staff has sent the owner notice of nuisance and put them on notice to rectify. He stated if the owner fails to comply he will amend the lawsuit to add scope of relief.

**VI. Discussion of Agenda Item(s) 5**

Consider authorizing the city manager to enter into an Engineering Services Contract with Thomas Hoover Engineering, LLC, for engineering services for 2020 Water Main Replacement Program

**EXECUTIVE SESSION in Compliance with the Provisions of the Texas Open Meetings Law, authorized by Government Code, 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.**

Mayor Wilson did not recess to Executive Session.

**ADJOURNMENT** – The meeting was adjourned at 6:30 p.m.

**APPROVED** this the 9<sup>th</sup> day of June 2020.

**ATTEST:**

  
Rita Erick, City Secretary

**APPROVED:**

  
Henry Wilson, Mayor