

City Council Minutes
Tuesday, September 8, 2020

On the 8th day of September 2020, at 6:30 p.m., the City Council of the City of Hurst, Texas, convened in a regular meeting 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
Malaika Marion Farmer	)	Assistant City Manager
Rita Frick	)	City Secretary
Michelle Lazo	)	Executive Director of Planning and Development
Sunny Patel	)	Information Technology Director
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 Booe gave the Invocation.

1. Presentation of City flag flown at half-staff in memory of City Attorney John Boyle

Mayor Wilson presented the City of Hurst flag flown at half-staff in memory of City Attorney John Boyle, to his wife, Kitty Boyle and family members. Mayor Wilson, Council and staff expressed their respect and appreciation for Mr. Boyle's service to the City, state and community, most specifically, remembering his intelligence, kindness, sage advice and love of family.

CONSENT AGENDA

2. Consider approval of the minutes for the August 25, 2020 City Council meetings

3. Consider Ordinance 2443, second reading, amending the Hurst Code of Ordinances, Chapter 2, Article X. Senior Citizens Advisory Board

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

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

OTHER BUSINESS

4. Consider authorizing the city manager to enter into an Agreement with RealWellU, for Health and Wellness Professional Services

City Manager Clay Caruthers stated that Esther White has worked with the City for years, but some legislative changes and legal issues require changing the scope of her work. He stated Cigna will cover the health related services and Esther will continue to provide personal fitness consulting services for the employees. Executive Director of Human Resources Matia Messemer reviewed details of the City's overall wellness efforts and the proposed agreement noting Ms. White's focus on individual help and accountability, has been an asset for the organization. Ms. Messemer noted the \$28,000 total savings with the changes.

Councilmember Shepard moved to authorize the city manager to enter into an Agreement with RealWell for Health and Wellness Professional Services. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

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

5. Consider ordering a public hearing to decide whether to order the repair, removal, or demolition of property located at 443 Circleview Drive N., legally described as Lot 26, Block 12, Mayfair Addition and whether to cause the cost of such work to be paid and levied as a special assessment against the property

Executive Director of Planning and Development Michelle Lazo updated the Council on the history of violations, starting in 2014, at the home at 443 Circleview Drive North. She explained the gas meter was pulled due to an unsafe furnace and staff has continued to work complaints on this property. She stated in order for a home to be occupied, it must have a functioning kitchen, bathroom and hot water. She reviewed a timeline of events, noting that on August 27, 2020, the home was declared a substandard building and public nuisance. Ms. Lazo referenced pictures provided to the Council and stated this item is the first step to order a public hearing on October 13, 2020. In response to Councilmembers questions, Ms. Lazo stated that no one is supposed to be living in the home and there are a number of vehicles parked at the home, which have been parked and full of debris for years. She explained the

owners have a business on Highway 10 and previously operated a used car dealership at which the Certificate of Occupancy was pulled by the City of Fort Worth in 2018. Ms. Lazo stated that due to staff's inability to access the entire house, she could not state if the house is structurally safe at this time, but there are leaks in the ceiling. Ms. Lazo stated staff's goal has always been to have Mr. Sims have a safe place to live, but that it has been hard to get his compliance, allowing the situation to become worse than it originally was in 2014. She stated an administrative warrant had to be issued to take action. City Manager Caruthers also noted in all cases like this, the court system protects the property owner and prevents cities from taking the property. City Attorney Matthew Boyle reviewed the next steps starting with the October 13, 2020, public hearing. He also stated that his firm has worked with code enforcement staff for many years, and they are diligent about trying to get properties into compliance. He stated citations don't do any good if there is no compliance, and the property owner is not taking care of business. He stated the normal steps, so far, have not been successful and, as a result, this process will require City Council action. Mr. Boyle also noted that legally registered vehicles can be parked on the street as long as the vehicles are not an obstruction to an access way and roadway.

Mayor Wilson read the proposed motion presented by the City Attorney to adopt staff's recommended Order and calling a public hearing for 6:30 p.m. on October 13, 2020 to be held at 1505 Precinct Line Road, at which time the City Council will consider ordering the repair, removal, or demolition of the property, assessing costs for such work, and the possible levying of civil penalties.

Councilmember Thompson moved to approve the proposed motion read by Mayor Wilson. Motion seconded by Councilmember McKenzie. Motion prevailed by the following vote:

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

6. Consider casting votes for candidates to the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election

Mayor Wilson noted his recommendation of Robert Herrera, Place 1; John Fullen, Place 2; Jeffrey Snyder, Place 3; and Robert Hauck, Place 4, to the Risk Pool Board of Trustees Election.

Councilmember McKenzie moved to approve Mayor Wilson's recommendation. Motion seconded by Councilmember Thompson. Motion prevailed by the following vote:

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

7. Consider authorizing the city manager to enter into a Memorandum of Understanding between the City of Hurst, Texas and Gardner Capital Investment Fund, LLC

Mayor Wilson noted this item was handled during the Hurst Public Facility Corporation

meeting prior to the Council meeting.

8. Review of upcoming calendar items – City Manager Clay Caruthers reviewed calendar items.
9. 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

Mayor Wilson did not recess to Executive Session.

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

10. Take any and all action ensuing from Executive Session. No action was taken.

ADJOURNMENT – The meeting adjourned at 7:06 p.m.

APPROVED this the 22nd of September 2020.

ATTEST:



Rita Frick, City Secretary

APPROVED:



Henry Wilson, Mayor