

**MINUTES OF THE WORK SESSION AND REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS
HELD IN THE CITY HALL 4301 CITY POINT DRIVE
AUGUST 28, 2023**

WORK SESSION

The City Council of the City of North Richland Hills, Texas met in work session on the 28th day of August at 6:45 p.m. in the Council Workroom prior to the 7:00 p.m. regular Council meeting.

Present:	Oscar Trevino	Mayor
	Tito Rodriguez	Place 1
	Rita Wright Oujesky	Place 2
	Suzy Compton	Place 3
	Mason Orr	Place 4
	Blake Vaughn	Associate Mayor Pro Tem, Place 5
	Scott Turnage	Deputy Mayor Pro Tem, Place 6
	Kelvin Deupree	Mayor Pro Tem, Place 7
Staff Members:	Mark Hindman	City Manager
	Paulette Hartman	Deputy City Manager
	Karen Manila	Assistant City Manager
	Caroline Waggoner	Assistant City Manager
	Alicia Richardson	City Secretary/Chief Governance Officer
	Maleshia B. McGinnis	City Attorney

CALL TO ORDER

Mayor Trevino called the meeting to order at 6:45 p.m.

1. DISCUSS ITEMS FROM REGULAR CITY COUNCIL MEETING.

In response to Associate Mayor Pro Tem Vaughn's question, City Secretary/Chief Governance Officer explained the purpose of minutes.

EXECUTIVE SESSION

There being no Executive Session, Mayor Trevino adjourned work session at 6:47 p.m.

REGULAR MEETING

A. CALL TO ORDER

Mayor Trevino called the meeting to order August 28, 2023 at 7:00 p.m.

Present:	Oscar Trevino	Mayor
	Tito Rodriguez	Place 1
	Rita Wright Oujesky	Place 2
	Suzy Compton	Place 3
	Mason Orr	Place 4
	Blake Vaughn	Associate Mayor Pro Tem, Place 5
	Scott Turnage	Deputy Mayor Pro Tem, Place 6
	Kelvin Deupree	Mayor Pro Tem, Place 7
Staff Members:	Mark Hindman	City Manager
	Alicia Richardson	City Secretary/Chief Governance Officer
	Maleshia B. McGinnis	City Attorney

A.1 INVOCATION

Mayor Pro Tem Deupree gave the invocation.

A.2 PLEDGE

Mayor Pro Tem Deupree led the Pledge of Allegiance to the United States and Texas flags.

A.3 SPECIAL PRESENTATION(S) AND RECOGNITION(S)

There were no items for this category.

A.4 CITIZENS PRESENTATION

Mr. John Schleeter, 6553 Northern Dancer Drive, thanked Council members Vaughn and Orr for holding a town hall meeting. He requested that City Council conduct one or two town hall meetings a year to encourage civic participation.

Ms. Danielle Jenkins, 5821 Cynthia Circle, spoke in support of backyard chickens.

Ms. Madelon Proctor, 7516 Maple Drive, spoke in support of backyard chickens.

Mr. Bill Whitsett, 4141 Morgan Circle, commented on the recent story in the news regarding Tarrant Appraisal District Chief Appraiser Jeff Law. He requested the City Council stand with the mayor to join the cities of Keller, Colleyville, and Southlake to approve a resolution for a vote of no confidence in Chief Appraiser Jeff Law.

Associate Mayor Pro Tem Vaughn moved to put that item on the next working session.

Mayor Trevino stated it's citizens presentation and his action is not appropriate.

Associate Mayor Pro Tem Vaughn appealed the decision of the chair to the Council.

City Attorney Maleshia McGinnis advised that the rules Associate Mayor Pro Tem Vaughn is referring to applies to pre-council (work session) meetings.

Mayor Trevino stated that Associate Mayor Pro Tem Vaughn is out of order.

City Manager Mark Hindman explained the rules for a member of the City Council to place an item on the work session.

Ms. Hannah Johnson, 7516 Deaver Drive, spoke in support of backyard hens.

A.5 PUBLIC COMMENTS

Mr. Eric C. Bales, 8729 McDonough Street, spoke in favor of item F.2, Ordinance No. 3810.

Associate Mayor Pro Tem Vaughn asked for clarification how to place an item on the work session agenda for a topic discussed in citizens presentation.

Mayor Trevino informed Associate Mayor Pro Tem Vaughn that the City Council cannot discuss or take action on items that are not posted on the agenda.

City Attorney Maleshia McGinnis explained the process of placing items on the work session and the regular agenda.

Associate Mayor Pro Tem Vaughn asked for action on his appeal of the chair to place an item on the next working agenda.

Ms. McGinnis stated that City Council cannot take action on items that are not posted on the agenda.

Mayor Trevino stated that Associate Mayor Pro Tem Vaughn is out of order and not following the rules.

A.6 REMOVAL OF ITEM(S) FROM CONSENT AGENDA

Associate Mayor Pro Tem Vaughn removed item B.1, approval of the August 14, 2023 minutes from the consent agenda.

The City Council took separate action on item B.1, following the approval of the consent agenda.

B. CONSIDER APPROVAL OF CONSENT AGENDA ITEMS

APPROVED

A MOTION WAS MADE BY DEPUTY MAYOR PRO TEM TURNAGE, SECONDED BY COUNCIL MEMBER WRIGHT OUJESKY TO APPROVE CONSENT AGENDA ITEMS B2-B9.

MOTION TO APPROVE CARRIED 7-0.

B.1 ITEM REMOVED FROM THE CONSENT AGENDA.

B.2 APPROVE RESOLUTION NO. 2023-073, AUTHORIZING THE CITY MANAGER TO EXECUTE A REGIONAL ASSET TRANSFER ADDENDUM WITH THE CITY OF FORNEY TO TRANSFER TEN GALLS TACTICAL VESTS IN THE AMOUNT OF \$10,294.10 PURCHASED BY THE CITY OF NORTH RICHLAND HILLS USING TAG GRANT #2848908 FUNDS.

B.3 AUTHORIZE THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE TEXAS ANTI-GANG (TAG) CENTER ANALYST AGREEMENT, AS GRANT FIDUCIARY FOR THE TAG CENTER GRANT #2848909, INCLUDING \$88,596.30 ANNUAL RATE OF COMPENSATION FOR JESSICA MAST, TAG CENTER ANALYST.

B.4 AUTHORIZE THE CITY MANAGER TO EXECUTE THE TWELFTH AMENDMENT TO THE TEXAS ANTI-GANG (TAG) CENTER ANALYST AGREEMENT, AS GRANT FIDUCIARY FOR THE TAG CENTER GRANT #2848909, INCLUDING \$93,965.30 ANNUAL RATE OF COMPENSATION FOR REBECCA CIFERRI, TAG CENTER ANALYST.

B.5 AUTHORIZE THE CITY MANAGER TO EXECUTE THE NINTH AMENDMENT TO THE TEXAS ANTI-GANG (TAG) CENTER ADMINISTRATOR AGREEMENT, AS GRANT FIDUCIARY FOR THE TAG CENTER GRANT #2848909, INCLUDING \$180,541.40 ANNUAL RATE OF COMPENSATION FOR THE TAG CENTER ADMINISTRATOR.

B.6 AUTHORIZE THE CITY MANAGER TO EXECUTE A LOCAL ADMINISTRATIVE AGREEMENT BETWEEN THE CONSTITUENT AGENCIES OF THE NORTH TEXAS ANTI-GANG CENTER.

- B.7 AUTHORIZE THE SOLE SOURCE PURCHASE OF EQUIPMENT TO UPGRADE NORTH RICHLAND HILLS POLICE DEPARTMENT'S SKYWATCH SURVEILLANCE TOWER FROM TELEDYNE FLIR DETECTION, INC, IN THE AMOUNT OF \$106,310.80 USING THE OFFICE OF THE GOVERNOR'S FY2022 JUSTICE ASSISTANCE GRANT PROGRAM CRIME DETECTION AND PREVENTION TOWER GRANT #4448501 FUNDS.**
- B.8 AUTHORIZE AN AGREEMENT WITH BAYCOM, INC., AN AUTHORIZED RESELLER OF SYNEX CORPORATION, FOR THE PURCHASE OF ANNUAL CRADLEPOINT HARDWARE AND SOFTWARE MAINTENANCE AND ADDITIONAL TECHNOLOGY PURCHASES USING STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES CONTRACT (DIR-TSO-4458), FOR A CUMULATIVE AMOUNT NOT TO EXCEED \$127,000 ANNUALLY THROUGH MARCH 27, 2025.**
- B.9 AUTHORIZE PAYMENT TO MOTOROLA SOLUTIONS, INC., FOR 20 PUBLIC SAFETY PORTABLE RADIOS USING HOUSTON-GALVESTON AREA COUNCIL (HGAC) COOPERATIVE AGREEMENT HGAC RA05-21, AS AN END USER UNDER CITY OF FORT WORTH CONTRACT CSC NO. 50054, IN THE AMOUNT OF \$135,148.20.**
- B.1 APPROVE MINUTES OF THE AUGUST 14, 2023 REGULAR CITY COUNCIL MEETING.**

APPROVED

Associate Mayor Pro Tem Vaughn expressed concern with approving minutes of the August 14 City Council meeting when the August 4 Budget Work Session minutes, where the City Council discussed the tax rate and budget, have yet to be approved and available for the public.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY DEPUTY MAYOR PRO TEM TURNAGE TO APPROVE ITEM B.1.

MOTION TO APPROVE CARRIED 6-1, WITH ASSOCIATE MAYOR PRO TEM VAUGHN VOTING AGAINST THE MOTION.

C. PUBLIC HEARINGS

C.1 ZC23-0076, ORDINANCE NO. 3805, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM H CREEK DEVELOPMENT FOR A SPECIAL USE PERMIT FOR A DETENTION POND AT 8340 SHADY GROVE ROAD, BEING A 2.023 ACRE PORTION OF A PROPERTY DESCRIBED AS LOT 1, BLOCK 1, PACE ACRES ADDITION; TRACTS 1 AND 2, THOMAS PECK SUBDIVISION; AND TRACT 3, THOMAS PECK SURVEY, ABSTRACT 1209.

APPROVED

Mayor Trevino opened the public hearing and called on Director of Planning Clayton Comstock to introduce the item and its companion item, D.1. City Council will receive one presentation, but take separate action on each item.

Mr. Comstock informed City Council the applicant is requesting a special use permit for a detention pond on 2.023 acres located at 8340 Shady Grove Road. The area is designated on the Comprehensive Land Use Plan as low density residential and the current zoning is R-2, single-family residential. The companion item is a final plat for the Shady Grove Addition and its associated water course maintenance agreement and detention/retention storage facility maintenance agreement. Mr. Comstock provided site photos of the property.

Applicant representative Eason Maykus, 604 East Northwest Highway, Grapevine, Texas, presented the request. The pond is designed to capture the drainage to the north. A five-foot walking trail will be around the perimeter of the pond and will be accessible to the public.

In response to Mayor Trevino's question, Mr. Maykus clarified the maintenance of the pond and common areas is the responsibility of the Homeowner Association.

Mr. Comstock presented staff's report. The Planning and Zoning Commission, at their August 17, 2023 meeting, recommended approval of ZC23-0076, with a vote of 5-0. The Planning and Zoning Commission, at their August 3, 2023 meeting, recommended approval of the final plat with a vote of 6-0, subject to conditions outlined in the Development Review Committee comments.

Mayor Trevino asked the City Secretary to call on those who completed a public meeting appearance form to speak during the public hearing.

Mr. John Schleeter, 6553 Northern Dancer Drive, commented on his experience as a Homeowner Association ("HOA") member. He asked the City Council to require that builders provide the HOA with a warranty for HOA owned elements.

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

Mayor Trevino asked Mr. Maykus to respond to Mr. Schleeter's comments. Mr. Maykus stated that when the neighborhood is 3/4 or 80% complete the residents form a board. The developer hands over the management to a company. He stated that they perform a final walk through with the homeowners that are managing the board. They also provide the board with a balanced budget. It would be difficult to provide a warranty for pond pumps and retaining walls. It is traditional for a HOA to obtain an insurance policy to include catastrophic events.

A MOTION WAS MADE BY COUNCIL MEMBER COMPTON, SECONDED BY COUNCIL MEMBER ORR TO APPROVE ORDINANCE NO. 3805.

MOTION TO APPROVE CARRIED 7-0.

C.2 ZC23-0059, ORDINANCE NO. 3806, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM ALEX FERNANDEZ FOR A SPECIAL USE PERMIT FOR AN EVENT CENTER AT 8545 AIRPORT FREEWAY, BEING 11.6 ACRES DESCRIBED AS LOT 8R, BLOCK A, RICHLAND OAKS ADDITION.

APPROVED

Mayor Trevino opened the public hearing and called on Principal Planner Clayton Husband to introduce the item.

Mr. Husband informed City Council the applicant is requesting a special use permit for 11.6 acres located at 8545 Airport Freeway for an event center. The area is designated on the Comprehensive Land Use Plan as urban village and the current zoning is C-2, commercial. Mr. Husband provided site photos of the property.

Applicants Alex Fernandez and his wife Fabiola, 4608 Marseille Drive, Arlington, Texas, presented the request and responded to questions from City Council.

Mr. Husband presented staff's report. The Development Review Committee (DRC) recommends the applicant update outdoor lighting to conform to current lighting standards; construct or renovate refuse container enclosures to current standards; and restore landscaping to match 2017 building permit plans. The Planning and Zoning Commission, at their August 17, 2023 meeting, recommended approval with a vote of 4-1 (Commissioner Risky voting against), subject to DRC comments.

In response to Mayor Pro Tem Deupree's question regarding noise, Mr. Husband stated that the property is approximately 50-75 feet from Strummer Drive and approximately 150

feet from adjacent residences. The conditions for this request include that there be no outside events on the property.

In response to Council member Wright Oujesky's questions, Mr. Husband confirmed that the landscaping will have irrigation, the applicant is not proposing changes to the building facade, and there has not been any requests for signage outside of what is required by the city's code.

Council member Orr asked for clarification on components for outdoor events. Mr. Husband stated that this property is not set up to have outdoor events.

Mayor Trevino asked the City Secretary to call on those who completed a public meeting appearance form to speak during the public hearing.

Mr. Matt Reed, 5145 Gentling Place, expressed concern with requiring the landscaping to match 2017 building permit plans. He commented it is an unfair burden on a tenant and not the owner. His main worry is irrigation. He suggested the city consider the property between the event center and residences for a buffer.

Mayor Trevino asked if there was anyone in the audience wishing to speak for or against the item to come forward. There being no one else wishing to speak, Mayor Trevino closed the public hearing.

Mayor Trevino asked Mr. Husband to address Mr. Reed's comments. Mr. Husband stated that the requirements for property upgrades are the responsibility of the property owner.

Mr. Husband shared with City Council that staff verified the distance between the event center and residences is 250 feet.

Director of Planning Clayton Comstock clarified that the property has an existing irrigation system.

A MOTION WAS MADE BY MAYOR PRO TEM DEUPREE, SECONDED BY COUNCIL MEMBER RODRIGUEZ TO APPROVE ORDINANCE NO. 3806, WITH DRC RECOMMENDATIONS.

MOTION TO APPROVE CARRIED 7-0.

C.3 ZC23-0062, ORDINANCE NO. 3807, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM SHARVELL SHAW, ON BEHALF OF NATURON PROPERTIES LLC, FOR A REVISION TO PLANNED DEVELOPMENT 13 AT 8612 AIRPORT FREEWAY, 8743 BEDFORD EULESS ROAD, AND 8703 BEDFORD EULESS ROAD, BEING 5.03 ACRES DESCRIBED AS LOTS 1A, 2, AND 3, BLOCK 13, WOODCREST ADDITION AND LOTS A1, B, AND C, INGRESS & EGRESS EASEMENT, WOODCREST ADDITION.

APPROVED

Mayor Trevino opened the public hearing and called on Principal Planner Clayton Husband to introduce the item.

Mr. Husband informed City Council the applicant is requesting a revision to a planned development for 5.03 acres located at 8703 Bedford Euleless Road for an event center. The area is designated on the Comprehensive Land Use Plan as retail commercial and the current zoning is PD, planned development. Mr. Husband provided site photos of the property.

Applicant Sharvell Shaw, 806 Shady Creek Lane, Bedford, presented the request. This is her business, which is a pre-decorated event space with a maximum capacity for 50 people. Ms. Shaw stated that no event would go past 12:00 a.m. and the space is strictly an indoor event.

Mr. Husband presented staff's report. The Development Review Committee (DRC) recommends the property owner (1) remove and reconstruct driveway on Bedford Euleless Road to align with the driving aisle adjacent to the building to enhance safety and access and (2) upgraded landscaping areas with trees and shrubs must be established in the area south of the building on Bedford Euleless Road and west of the driveway. Mr. Husband stated that the recommendations are included in the planned development standards and included in the recommendation. The Planning and Zoning Commission, at their August 17, 2023 meeting, recommended approval with a vote of 5-0.

In response to Council member Rodriguez's question, Mr. Husband shared that improvements are limited to the southern access of the property and there was no discussion regarding improvements along the northern portion off the access road.

Mayor Trevino asked the City Secretary to call on those who completed a public meeting appearance form to speak during the public hearing. There being no forms submitted, Mayor Trevino asked if there was anyone in the audience wishing to speak on the item to come forward. There being no one wishing to speak, Mayor Trevino closed the public hearing.

A MOTION WAS MADE BY COUNCIL MEMBER ORR, SECONDED BY DEPUTY MAYOR PRO TEM TURNAGE TO APPROVE ORDINANCE NO. 3807.

MOTION TO APPROVE CARRIED 7-0.

C.4 ZC23-0060, ORDINANCE NO. 3808, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM COVER 2 CAPITAL FOR A SPECIAL DEVELOPMENT PLAN FOR A MIXED-USE, MULTI-FAMILY DEVELOPMENT AT 6405-6421 SMITHFIELD ROAD, 7801 GUY STREET, AND 7805-7829 ARTHUR DRIVE, BEING 6.04 ACRES DESCRIBED AS LOTS 1R AND 3-8, BLOCK 2; AND LOTS 1-5, BLOCK 3, MEACHAM ADDITION.

APPROVED

Mayor Trevino opened the public hearing and called on Director of Planning Clayton Comstock to introduce the item.

Mr. Comstock informed City Council the applicant is requesting a special development plan for 6.04 acres located at 6405-6421 Smithfield Road, 7801 Guy Street, and 7805-7829 Arthur Drive for the purpose of a mixed-use and multi-family development. The area is designated on the Comprehensive Land Use Plan as urban village and the current zoning is TOD, transit oriented development. He explained that the property is located in two character zones--core zone and residential zone--within the TOD. The core zone, by right, allows up to four-story buildings. The residential zone, by right, allows up to three-story buildings. Mr. Comstock provided site photos of the property.

Mr. Blake Poston, 4208 Brookview Drive, Dallas, Texas and Bryan Welty, 6803 Lake Shore Drive, Dallas, Texas, presented the request. Mr. Poston provided an overview of the project, which includes 285 multi-family units, 10,000+ square feet of ground floor retail; 15 townhouses, and a 3.5 level structured parking garage. The development includes green spaces, which are open to the public, and connect to the Cotton Belt Trail. The development also includes a pedestrian plaza across from the Smithfield train station. The first floor of the four-story building is commercial ready space for retail tenants, and if not leased, it will be converted to residential apartments.

Mr. Welty provided an overview of the site plan, highlighting the public spaces and streetscape for Arthur Drive. In response to a question at the Planning and Zoning Commission meeting, the southwestern corner of the multi-family building has been reduced in height from four-story to match the scale of the three-story townhomes on Arthur Drive.

City Council and the applicant representatives discussed the dedicated retail located on Smithfield Road and the Smithfield/Arthur Drive intersection; rear garages for townhomes

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located on Arthur Drive; improvements to Arthur Drive; dog park; four-story building along Smithfield with commercial ready buildings on the first floor that could be used as residential until market necessitates commercial; timing (two years) to build-out commercial; parking garage; concerns with property being vacant; dedicated commercial parking; compliance with TOD standards; compliance with ADA standards for buildings that are commercial ready, but used as residential; and the number of stories for the multi-family and commercial ready buildings.

Mr. Poston stated that they are working to lease the commercial buildings. If needed, they will hire a brokerage company to market the commercial space.

Mr. Comstock presented staff's report. He reviewed the development summary that includes up to 300 multi-family units; 15 townhome units; 10,300 square feet of commercial space on Smithfield Road; 0.5 acres open space; 430-space parking garage (507 total parking spaces); on-street parking on Smithfield Road; and two access points to the parking garage. He reviewed the landscape and exterior design concept plans. The requested waivers to the special development plan include (1) a revision to the Smithfield TOD character zones to change a portion of the "TOD Residential" character zone to "TOD Core"; (2) landscape standards on private property to follow regulations of the City's Code, Chapter 114 vs TOD Code; (3) mixed use criteria for ground floor to decrease the minimum percentage for commercial from 35% to 20%, and increase the maximum percentage for residential from 40% to 80%; (4) townhome lot standards to decrease the minimum lot width of the interior lots from 25 feet to 21 feet, decrease the minimum lot depth from 80 feet to 58 feet, and to increase the minimum unit size from 1,200 square feet to 1,900 square feet; and (5) parking to decrease the required number of parking from 545 to 507. The Planning and Zoning Commission, at their August 17, 2023 meeting, recommended approval with a vote of 3-2, with the exception of the TOD character zone change. Commissioners Welborn and Risky voted against the motion. Mr. Comstock noted that Commissioners Welborn and Risky were in favor of the project, but not the motion that excluded the TOD character zone change.

Council member Rodriguez left the meeting at 8:55 p.m. and returned at 8:56 p.m.

City Council and staff discussed the applicant's request for the TOD character zone; history of the property; staff's discussion with property owners in 2009; commercial percentages for the first floor; traffic study; concern with parallel parking on Smithfield Road and traffic; residents exiting the parking garage onto Smithfield; enhanced crosswalk; and access to parking garage from Smithfield Road and Arthur Drive.

City Engineer Nathan Frohman confirmed that the applicant conducted a traffic impact analysis study. The study was completed when school was not in session. Staff is working with the applicant to include the numbers in the study. Staff is visiting the area

during AM/PM peak times to get an understanding of the traffic.

Associate Mayor Pro Tem Vaughn stated that he had a few inquiries from the public. He asked if there is any current ownership or recent ownership by a member of the governing body for the proposed development.

Mr. Comstock informed City Council that the property owner procured the properties for the development over the past year.

Mayor Trevino stated that his wife previously owned one acre.

In response to Associate Mayor Pro Tem Vaughn's question, City Attorney Maleshia McGinnis advised that to her knowledge, Mayor Trevino nor his wife own the property, and that he does not have a conflict of interest.

In regards to the question regarding traffic impact, Mr. Comstock shared with City Council that the applicant will provide a couple of improvements to Arthur Drive for an additional lane infrastructure.

Mayor Trevino asked the City Secretary to call on those who completed a public meeting appearance form to speak during the public hearing.

Mr. Kevin Murphy, 2800 Hardet Drive, Dalworthington Gardens, Texas, spoke in favor of the request.

Mr. Gustav Kuelbs, 813 Water Oak Drive, Grapevine, Texas, stated that overall he is supportive of the project. He stated that he is concerned with traffic along Smithfield Road and Arthur Drive. He said eventually the city will need to move westbound traffic to Mid Cities Boulevard from Arthur Drive.

Ms. Jane Birkes, 8321 Main Street, commented that she likes mixed-use, but prefers ownership versus apartments.

Mr. John Schleeter, 6553 Northern Dancer Drive, asked what consideration has been provided for persons in wheelchairs.

Mr. Jason Chesire, 14025 Stacey Valley Drive, Azle, Texas, spoke in favor of the request.

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

Mayor Trevino asked the applicant to respond to Mr. Schleeter's comment.

Mr. Welty shared that they hire an ADA consultant for all their developments to ensure that their projects, to include public spaces, meet code regulations.

A MOTION WAS MADE BY DEPUTY MAYOR PRO TEM TURNAGE, SECONDED BY COUNCIL MEMBER COMPTON TO APPROVE ORDINANCE NO. 3808, SUBJECT TO THE INCORPORATION OF UPDATED RENDERINGS INTO EXHIBIT C DEMONSTRATING A 3-STORY BUILDING SECTION ALONG ARTHUR DRIVE.

MOTION TO APPROVE CARRIED 6-1, WITH ASSOCIATE MAYOR PRO TEM VAUGHN VOTING AGAINST THE MOTION.

D. PLANNING AND DEVELOPMENT

D.1 PLAT23-0045 CONSIDERATION OF A REQUEST FROM H CREEK DEVELOPMENT FOR A FINAL PLAT OF SHADY GROVE ADDITION, BEING 18.73 ACRES LOCATED AT 8340 SHADY GROVE ROAD, AND ITS ASSOCIATED WATER COURSE MAINTENANCE AGREEMENT AND DETENTION/RETENTION STORAGE FACILITY MAINTENANCE AGREEMENT.

APPROVED

This item was presented in conjunction with item C.1

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY MAYOR PRO TEM DEUPREE TO APPROVE PLAT23-0045 WITH THE CONDITIONS OUTLINED IN THE DEVELOPMENT REVIEW COMMITTEE COMMENTS, AND APPROVE ITS ASSOCIATED WATER COURSE MAINTENANCE AGREEMENT AND DETENTION/RETENTION STORAGE FACILITY MAINTENANCE AGREEMENT.

MOTION TO APPROVE CARRIED 7-0.

D.2 PLAT23-0044 CONSIDERATION OF A REQUEST FROM NEEL-SCHAFFER INC., FOR A PRELIMINARY PLAT OF CAMBRIDGE MANOR, BEING 5.01 ACRES LOCATED AT 7101 IRON HORSE BOULEVARD.

APPROVED

Director of Planning Clayton Comstock informed City Council the applicant is requesting a preliminary plat for 5.01 acres located at 7101 Iron Horse Boulevard for the Cambridge Manor. The property is zoned RI-PD, residential infill planned development. Mr. Comstock provided site photos of the property.

Applicant representative Derek Cheatham with Neel-Schaffer Inc., located at 2501 Avenue J, Suite 120, Arlington, Texas, presented the request. He provided an overview of the preliminary plat.

Mr. Comstock presented staff's report. The Planning and Zoning Commission, at their August 3, 2023 meeting, recommended approval with a vote of 6-0, subject to conditions outlined in the Development Review Committee (DRC) comments. The applicant has revised the preliminary plat to address DRC comments and DRC recommends approval of the preliminary plat as presented.

A MOTION WAS MADE BY COUNCIL MEMBER RODRIGUEZ, SECONDED BY COUNCIL MEMBER ORR TO APPROVE PLAT23-0044.

MOTION TO APPROVE CARRIED 7-0.

E. PUBLIC WORKS

There were no items for this category.

F. GENERAL ITEMS

F.1 CONSIDER ORDINANCE NO. 3809, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2023 RATE REVIEW MECHANISM FILING.

APPROVED

Assistant City Manager Karen Manila presented the item. The proposed ordinance approves a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division. The result of the negotiations resulted in reducing Atmos Mid-Tex's requested system-wide rate increase from \$156.1 million to \$142 million. The monthly impact for a typical residential customer is an increase of 7.3% and an increase of 5.19% for an average commercial customer.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY DEPUTY MAYOR PRO TEM TURNAGE TO APPROVE ORDINANCE NO. 3809.

MOTION TO APPROVE CARRIED 7-0.

F.2 CONSIDER ORDINANCE NO. 3810, AMENDING CHAPTER 54 OF THE CODE OF ORDINANCES, BY ADOPTING ARTICLE X, STREET RACING AND RECKLESS DRIVING EXHIBITIONS.

APPROVED

Police Chief Mike Young presented the item. If approved, the ordinance allows law enforcement officers to more effectively address spectators who participate at street races and reckless driving exhibitions.

A MOTION WAS MADE BY MAYOR PRO TEM DEUPREE, SECONDED BY COUNCIL MEMBER COMPTON TO APPROVE ORDINANCE 3810.

MOTION TO APPROVE CARRIED 7-0.

G. EXECUTIVE SESSION ITEMS - CITY COUNCIL MAY TAKE ACTION ON ANY ITEM DISCUSSED IN EXECUTIVE SESSION LISTED ON WORK SESSION AGENDA

Mayor Trevino announced that City Council did not convene into Executive Session.

H. INFORMATION AND REPORTS

H.1 ANNOUNCEMENTS

Associate Mayor Pro Tem Turnage made the following announcements.

City Hall and other non-emergency City offices will be closed on Monday, September 4 for the Labor Day Holiday. The NRH Centre, Iron Horse Golf Course and NRH2O will be open. Garbage and recycling will not be collected on Labor Day. Monday collections will shift to Tuesday and Tuesday collections will be picked up on Wednesday.

As a reminder, the City Council will meet on Thursday, September 7 at 7:00 p.m. to receive public input on the proposed city budget and property tax rate. Public input can also be submitted on the city's website at nrhtx.com/budget or by emailing the City Council.

Volunteers are needed for Keep NRH Beautiful's annual Trash Bash Litter Cleanup event on Saturday, September 23. The cleanup will take place from 9:00 a.m. to 11:30 a.m. and will be followed by a volunteer appreciation picnic. Visit our website to sign up and get more information.

Kudos Korner - Stephanie East in Neighborhood Services - Following a recent restaurant health inspection, the city received an email praising Stephanie's work. It said: "I appreciate your attention to detail and the effort taken to address multiple items during the recent inspection. Your thoroughness and professionalism are commendable. Thank you for your diligence!"

I. ADJOURNMENT

Mayor Trevino adjourned the meeting at 10:00 p.m.

Oscar Trevino, Mayor

ATTEST:

Alicia Richardson
City Secretary/Chief Governance Officer