

**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
OCTOBER 2, 2017**

WORK SESSION

The City Council of the City of North Richland Hills, Texas met in work session on the 2nd day of October at 6:00 p.m. in the City Council Workroom prior to the 7:00 p.m. regular Council meeting.

Present:	Oscar Trevino	Mayor
	Scott Turnage	Mayor Pro Tem
	Tito Rodriguez	Council, Place 1
	Rita Wright Oujesky	Council, Place 2
	Tom Lombard	Council, Place 3
	Tim Barth	Council, Place 4
	Mike Benton	Council, Place 5
	Tim Welch	Council, Place 7

Staff Members:	Paulette Hartman	Assistant City Manager
	Jimmy Perdue	Director of Public Safety
	Mike Curtis	Managing Director
	Alicia Richardson	City Secretary
	Maleshia B. McGinnis	City Attorney

CALL TO ORDER

Mayor Trevino called the meeting to order at 6:00 p.m.

1. DISCUSS ITEMS FROM REGULAR CITY COUNCIL MEETING.

Council had no questions for staff.

Mayor Trevino announced that he and Council member Rodriguez would abstain from items C.4 and C.5. Mayor Trevino stated that his wife owns property across the street from the project and that Council member Rodriguez is on the Board of the Fort Worth Transportation Authority.

2. WELCOME AND INTRODUCTION - PUBLIC OFFICIAL, PUBLIC EMPLOYEE OR CITIZEN.

There was no one present to introduce at the meeting.

3. DISCUSS TXDOT'S PROPOSAL TO INSTALL RAISED MEDIANS ON DAVIS BOULEVARD (FM 1938).

City Engineer Caroline Waggoner informed Council the item before them this evening is to discuss the Texas Department of Transportation's (TxDOT) intent to utilize grant funding for two raised median projects in North Richland Hills on Davis Boulevard (FM 1938). TxDOT received a highway safety improvement grant and they notified city staff that Davis Boulevard met the qualifications. TxDOT proposes to move forward with two projects to construct a raised median on Davis Boulevard beginning at Harwood Road, going north for approximately seven (7) miles to FM 1709 in Southlake. Ms. Waggoner informed Council that TxDOT is open to suggestions and seeks support from the city.

Council and staff discussed traffic patterns and location of accidents along Davis Boulevard. Council asked staff to provide historical information on the location of accidents, the possibility of feathering out medians to include the existing center lanes, working with TxDOT and the post office to address the safety concern in front of the post office, and additional information regarding a traffic study on Davis Boulevard.

EXECUTIVE SESSION

Mayor Trevino announced at 6:21 p.m. that the Council would adjourn into Executive Session as authorized by Chapter 551, Texas Government Code, specifically Section 551.087: Deliberate regarding economic development negotiations - Lot 1 and 2, Block 25 Snow Heights Addition and Section 551.074: Personnel matters to deliberate the employment, evaluation, and duties of public employees - City Secretary. Executive Session began at 6:24 p.m. and concluded at 6:47 p.m.

Mayor Trevino announced at 6:48 p.m. that Council would convene to the regular City Council meeting.

Rollcall

REGULAR MEETING

A. CALL TO ORDER

Mayor Trevino called the meeting to order October 2, 2017 at 7:00 p.m.

Present: Oscar Trevino Mayor

Scott Turnage	Mayor Pro Tem
Tito Rodriguez	Council, Place 1
Rita Wright Oujesky	Council, Place 2
Tom Lombard	Council, Place 3
Tim Barth	Council, Place 4
Mike Benton	Council, Place 5
Tim Welch	Council, Place 7

Staff Members:	Paulette Hartman	Assistant City Manager
	Alicia Richardson	City Secretary
	Maleshia B. McGinnis	City Attorney

A.1 INVOCATION

Council member Rodriguez gave the invocation.

A.2 PLEDGE

Council member Rodriguez 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

There were no requests to speak from the public.

A.5 REMOVAL OF ITEM(S) FROM CONSENT AGENDA

No items were removed from the consent agenda.

B. CONSIDER APPROVAL OF CONSENT AGENDA ITEMS

APPROVED

A MOTION WAS MADE BY MAYOR PRO TEM TURNAGE, SECONDED BY COUNCIL MEMBER LOMBARD TO APPROVE THE CONSENT AGENDA.

MOTION TO APPROVE CARRIED 7-0.

- B.1 APPROVE MINUTES OF THE SEPTEMBER 25, 2017 REGULAR CITY COUNCIL MEETING.**
- B.2 CONSIDER REIMBURSEMENT RESOLUTION NO. 2017-039 FOR THE FISCAL YEAR 2017/2018 CAPITAL IMPROVEMENT PROGRAM AND ASSOCIATED EQUIPMENT AND SERVICES IN AN AMOUNT NOT TO EXCEED \$6,690,000.**
- B.3 CONSIDER RESOLUTION NO. 2017-038 APPROVING THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION SPECIAL PROJECTS GRANT FOR STEM KITS FOR THE MAKER SPOT.**
- B.4 APPROVE PURCHASE OF A FRAZER AMBULANCE FROM MAC HAIK DODGE CHRYSLER JEEP IN THE AMOUNT OF \$289,975.00.**
- B.5 APPROVE AWARD OF BID NO. 17-022 TO SUNBELT POOLS INC. IN THE AMOUNT OF \$544,720.00 FOR THE REMOVAL OF TWO EXISTING WHITEN FILTERS AND THE PURCHASE, INSTALLATION AND STARTUP OF THREE NEPTUNE BENSON DEFENDER FILTERS, MODEL #SP-49, OR APPROVED EQUAL, AT NRH2O FAMILY WATER PARK.**
- C. PUBLIC HEARINGS**
- C.1 RP 2017-09, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM HP CIVIL ENGINEERING, LLC FOR A REPLAT OF LOT 1R, BLOCK C; LOT 2R, BLOCK A; AND LOT 1R, BLOCK B, HOMETOWN-DOLCE ADDITION ON 9.824 ACRES LOCATED AT 8900 VERMILLION STREET, 6021 ASHBURY STREET, AND 6021 PARKER BOULEVARD.**

APPROVED

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

Mr. Comstock informed Council the applicant is requesting a replat of 9.824 acres at 6021 Parker Boulevard. The area is designated on the Comprehensive Land Use Plan as Town Center and the current zoning is Town Center. Mr. Comstock provided site photos of the property.

Applicant representative Jason Pyka with HP Civil Engineering, located at 5339 Alpha Road, Suite 300, Dallas, Texas presented request. Mr. Pyka informed Council the purpose for the replat is threefold: (1) abandon an existing sanitary sewer line easement and re-dedicate required public easement - Phase 2 of Dolce Addition; (2) addition of two waterline easements in the new phase for a backflow preventer and relocation of a line due to a light pole; and (3) in response to comments from public safety, the proposed

island on Ashbury is removed and the open space relocated.

Council had no questions for the applicant.

Mr. Comstock presented staff's report. The Planning and Zoning Commission, at their September 21, 2017 meeting, recommended approval with a vote of 6-0.

Mayor Trevino called for anyone wishing to speak for or against the request to come forward. There being no one wishing to speak, Mayor Trevino closed the public hearing.

A MOTION WAS MADE BY COUNCIL MEMBER WELCH, SECONDED BY COUNCIL MEMBER RODRIGUEZ TO APPROVE RP 2017-09.

MOTION TO APPROVE CARRIED 7-0.

C.2 SUP 2017-06, ORDINANCE NO. 3480, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM KEVIN TRAVELL FOR A SPECIAL USE PERMIT FOR AN ACCESSORY BUILDING LARGER THAN 1,000 SQUARE FEET ON 2.015 ACRES LOCATED AT 7504 BURSEY ROAD.

APPROVED

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

Mr. Husband informed Council the applicant is requesting a Special Use Permit to construct a 1,500-square foot accessory building with a 750-square foot attached covered parking area at 7504 Bursey Road. The area is designated on the Comprehensive Land Use Plan as low density residential and the current zoning is R-1 single family residential. Mr. Husband provided site photos of the property.

Applicant Dohrman Wintermute, 7504 Bursey Road, informed Council that he and his wife purchased the property in 2015. The site has four existing accessory structures. He would like to consolidate the four existing structures into one that complements the recent renovations made to their home.

Mr. Husband presented staff's report. The applicant is requesting two waivers to the development standards (1) maximum floor area to allow a 1,500 square foot building and (2) maximum building height to allow 17 feet, 6 inches to peak of roof. The Planning and Zoning Commission, at their September 21, 2017 meeting, recommended approval with a vote of 6-0.

In response to Mayor Trevino's question, Mr. Husband advised that the accessory

building is located approximately 114 feet from the south property line.

In response to Council member Lombard's question, Mr. Husband advised that staff would bring forward an item in work session to discuss the option of revising the regulations for accessory structures.

Mayor Trevino called for anyone wishing to speak for or against the request to come forward. There being no one wishing to speak, Mayor Trevino closed the public hearing.

Mayor Trevino recommended that City Council conduct a joint work session with the Planning and Zoning Commission following his appointment of an ex-officio to the Commission.

A MOTION WAS MADE BY COUNCIL MEMBER BENTON, SECONDED BY MAYOR PRO TEM TURNAGE TO APPROVE ORDINANCE NO. 3480.

MOTION TO APPROVE CARRIED 7-0.

C.3 SUP 2017-05, ORDINANCE NO. 3481, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM U-HAUL FOR A SPECIAL USE PERMIT FOR A WAIVER OF THE MASONRY REQUIREMENT FOR AN AUTOMOBILE SHADE STRUCTURE ON 3.089 ACRES LOCATED AT 8213 BOULEVARD 26.

DENIED

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

Mr. Husband informed Council the applicant is requesting a special use permit for a waiver of the masonry requirement for an automobile shade structure located at 8213 Boulevard 26. The area is designated on the Comprehensive Land Use Plan as retail and the current zoning is C-2 commercial. Mr. Husband presented site photos of the property.

Applicant representative Kenneth Burch, 3017 Alta Mesa, Fort Worth, Texas presented item.

Mr. Husband presented staff's report. Mr. Husband advised the zoning ordinance provides that special use permits may establish reasonable conditions of approval on the operation and location of the use. The following are the proposed conditions:

STRUCTURE

- Waiver of masonry requirement for columns
- Size not to exceed 1,000 square feet in area

DEVELOPMENT STANDARDS

- Location as shown on site plan
- Support columns be steel columns with powder coat finish
- Install landscape planting areas Boulevard 26 driveway, at least 50 square feet in area.
- Replace wall pack lights on building with conforming fixtures.

OPERATIONAL STANDARDS

- Receive and dispatch trucks and trailers
- No vehicle repair or installation of accessories

The Planning and Zoning Commission, at their September 21, 2017 meeting, recommended approval with a vote of 5-1, subject to the stated conditions.

Mr. Husband confirmed the recommendation of the Planning and Zoning Commission are included in the proposed ordinance.

Mayor Trevino called for anyone wishing to speak for or against the request to come forward. There being no one wishing to speak, Mayor Trevino closed the public hearing.

A MOTION WAS MADE BY COUNCIL MEMBER LOMBARD, SECONDED BY COUNCIL MEMBER RODRIGUEZ TO APPROVE ORDINANCE NO. 3481.

Council member Wright Oujesky commented that the request is not in line with the direction the City Council wants for North Richland Hills.

Mayor Pro Tem Turnage concurred with Council member Wright Oujesky's comments. He commented that he is in favor of masonry.

THE MOTION TO APPROVE FAILED BY A VOTE OF 2-5; WITH COUNCIL MEMBERS RODRIGUEZ AND LOMBARD VOTING IN FAVOR AND MAYOR PRO TEM TURNAGE AND COUNCIL MEMBERS WRIGHT OUJESKY, BARTH, BENTON AND WELCH VOTING AGAINST.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY COUNCIL MEMBER BARTH TO DENY ORDINANCE NO. 3481.

MOTION TO DENY CARRIED 6-1; WITH MAYOR PRO TEM TURNAGE AND COUNCIL MEMBERS RODRIGUEZ, WRIGHT OUJESKY, BARTH, BENTON AND WELCH VOTING IN FAVOR AND COUNCIL MEMBER LOMBARD VOTING AGAINST..

C.4 SDP 2017-04, ORDINANCE NO. 3482, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM PACHECO KOCH CONSULTING ENGINEERS, INC., FOR A SPECIAL DEVELOPMENT PLAN FOR THE TEXRAIL SMITHFIELD STATION PARKING LOT ON 8.246 ACRES LOCATED AT 6408 AND 6416 SMITHFIELD ROAD.

APPROVED

Mayor Trevino announced that he and Council member Rodriguez would be abstaining from items C.4 and C.5. Both filed an affidavit of disqualification with the City Secretary. Mayor Trevino's conflict is that his spouse owns property located across the street from the project. Council member Rodriguez's conflict is that he serves as a Board member on the Fort Worth Transportation Authority.

Mayor Trevino and Council member Rodriguez left the dais at 7:32 p.m.

Mayor Pro Tem Turnage opened the public hearing for items C.4, SDP 2017-04 and C.5, RP 2017-06 and called on Planning Manager Clayton Comstock to present both items.

Mr. Comstock informed Council the applicant is requesting a special development plan for the TEXRail Smithfield station parking lot located at the southeast corner of Smithfield Road and the railroad right-of-way. The area is designated on the Comprehensive Land Use Plan as Transit Oriented Development and the current zoning is Transit Oriented Development. Mr. Comstock provided site photos of the property.

Applicant representative Ritchie Thompson, with the Fort Worth Transportation Authority located at 801 Cherry Street, Fort Worth, Texas presented request and was available to answer questions from Council.

In response to Council member Lombard's question, Mr. Thompson confirmed the parking lot has the flexibility to accommodate the turnaround for buses.

In response to Council member Welch's questions, Mr. Thompson confirmed the landscape materials would be native to Texas and that the detention pond would be located in the middle of the bus turnaround area.

Mr. Comstock presented staff's report. He reviewed the site plan, renderings, streetscape design, signage, and landscaping. The Planning and Zoning Commission, at their September 21, 2017 meeting, recommended approval with a vote of 6-0, with the condition that curb return radii be a minimum of twenty-five feet. The engineers for the Fort Worth Transportation Authority revised the driveway to provide a 25-foot radius and 24-foot driveway throat width.

Mayor Pro Tem Turnage called for anyone wishing to speak for or against the request to come forward.

Ms. Virginia Johnson, 6413 Smithfield Road, did not indicate whether she was in favor or opposed to the request. She inquired about the hours of operation for the station, if the parking lot would be enclosed with a fence, plans for a restroom at the site, and she advised that she lives across the street and is concerned with the lights shining into her home.

Mr. Thompson advised that there are no plans to place a fence around the surface parking lot. The hours of operation are scheduled for 0630 to 2200. There will be no restrooms at the station, as the trains will be equipped with restroom facilities. Mr. Johnson advised that he would look into the lights proposed for the station.

Mr. Comstock informed Council that the Fort Worth Transportation is required to place a living fence along Smithfield Road. Pursuant to the landscape plan, shrubs will be planted along Smithfield Road. Upon maturity, the shrubs will shield adjacent property owners from headlight spillover.

Mr. Tolbert Jenkins, 8001 Limerick Lane, did not indicate whether he was in favor or opposed to the request. He stated that the station should have a restroom facility and security.

There being no one else wishing to speak, Mayor Pro Tem Turnage closed the public hearing for items C.4 and C.5

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY COUNCIL MEMBER LOMBARD TO APPROVE ORDINANCE NO. 3482.

MOTION TO APPROVE CARRIED 6-0-1; WITH COUNCIL MEMBER RODRIGUEZ ABSTAINING.

C.5 RP 2017-06, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM PACHECO KOCH CONSULTING ENGINEERS, INC., FOR A REPLAT OF LOTS 2R1 AND 11R1, BLOCK H, SMITHFIELD ADDITION ON 8.246 ACRES LOCATED AT 6408 AND 6416 SMITHFIELD ROAD.

APPROVED

The public hearing was conducted with item C.4. The Council discussed this item in conjunction with item C.4.

A MOTION WAS MADE BY COUNCIL MEMBER LOMBARD, SECONDED BY COUNCIL MEMBER BENTON TO APPROVE RP 2017-06.

MOTION TO APPROVE CARRIED 6-0-1; WITH COUNCIL MEMBER RODRIGUEZ ABSTAINING.

D. PLANNING AND DEVELOPMENT

There were no items for this category.

E. PUBLIC WORKS

E.1 ADOPT RESOLUTION NO. 2017-040, AUTHORIZING EXECUTION OF THE SECOND AMENDMENT TO THE WASTEWATER TRANSPORTATION CONTRACT (WALKER-CALLOWAY SYSTEM) WITH THE TRINITY RIVER AUTHORITY OF TEXAS.

APPROVED

Managing Director Mike Curtis presented item and was available to answer questions.

Council had no questions for staff.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY COUNCIL MEMBER LOMBARD TO ADOPT RESOLUTION NO. 2017-040.

MOTION TO APPROVE CARRIED 7-0.

E.2 APPROVE THE WHOLESALE WASTEWATER SERVICES AGREEMENT WITH THE CITY OF FORT WORTH AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT

APPROVED

Managing Director Mike Curtis presented item and was available to answer questions.

Council had no questions for staff.

A MOTION WAS MADE BY COUNCIL MEMBER LOMBARD, SECONDED BY COUNCIL MEMBER WELCH TO APPROVE THE WHOLESALE WASTEWATER SERVICES AGREEMENT WITH THE CITY OF FORT WORTH.

MOTION TO APPROVE CARRIED 7-0.

F. GENERAL ITEMS

F.1 AUTHORIZE THE PURCHASE OF A TACTICAL SURVEILLANCE ROBOT FROM ICOR TECHNOLOGIES IN THE AMOUNT OF \$60,071

APPROVED

Assistant Police Chief Rick Scott presented item and was available to answer questions.

A MOTION WAS MADE BY COUNCIL MEMBER RODRIGUEZ, SECONDED BY COUNCIL MEMBER BENTON TO APPROVE THE PURCHASE OF A TACTICAL ROBOT.

MOTION TO APPROVE CARRIED 7-0.

F.2 CONSIDER ORDINANCE NO. 3478, AMENDING APPENDIX A OF THE CITY OF NORTH RICHLAND HILLS CODE OF ORDINANCES AND AMENDING THE FEES CHARGED UNDER SECTIONS 78-121 AND 78-125, RELATED TO WATER AND WATER METERS.

APPROVED

Finance Director Mark Mills presented item and was available to answer questions.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY COUNCIL MEMBER LOMBARD TO APPROVE ORDINANCE NO. 3478.

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

APPROVED

Mayor Trevino announced that action is necessary as the result of discussion in Executive Session, pursuant to Section 551.074: Personnel matters to deliberate the employment, evaluation, and duties of public employees - City Secretary.

A MOTION WAS MADE BY COUNCIL MEMBER BENTON, SECONDED BY COUNCIL MEMBER LOMBARD TO APPROVE THE CONTRACT FOR THE CITY SECRETARY.

MOTION TO APPROVE CARRIED 7-0.

H. INFORMATION AND REPORTS

H.1 ANNOUNCEMENTS

Council member Wright Oujesky made the following announcements.

Join us on Tuesday, October 10th for our last 'Round the Town with Oscar bike ride this year. The ride will begin at 6:00 p.m. at Cross Timbers Park. Riders are encouraged to wear blue to show support for all of our law enforcement personnel. You can get more information on our website, or by calling the Parks Department.

The North Richland Hills Fire Department will recognize Fire Prevention Week with a series of open houses during the second week of October. Residents are welcome to stop by any of the open houses to learn about fire prevention and safety. You can find the open house schedule on our website or by calling Fire Administration.

North Richland Hills residents can get rid of unwanted bulky items during the annual Fall Community Cleanup on Saturday, October 14th. Items can be dropped off from 9:00 a.m. to noon at the parking lot of NRH2O Family Water Park. Please visit our website or contact Neighborhood Services for a list of items that will be accepted.

Kudos Korner - Charles Swanigon in the Communications Department - A literary agent who helps coordinate the Behind the Book events at the Library emailed praise for a video that Charles produced supporting the events. "I'm crying with joy. That is the best, greatest, piece I've ever seen. Please tell Charles thanks," she said.

I. ADJOURNMENT

Mayor Trevino adjourned the meeting at 8:15 p.m.

Oscar Trevino, Mayor

Alicia Richardson, City Secretary