

**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
JULY 23, 2018**

WORK SESSION

CALL TO ORDER

The City Council of the City of North Richland Hills, Texas met in work session on the 23rd day of July at 4:30 p.m. in the City Council Workroom prior to the 7:00 p.m. regular Council meeting.

Present:	Oscar Trevino	Mayor
	Mike Benton	Mayor Pro Tem
	Tito Rodriguez	Council, Place 1
	Rita Wright Oujesky	Council, Place 2
	Tom Lombard	Council, Place 3
	Tim Barth	Council, Place 4
	Scott Turnage	Council, Place 6
	Tim Welch	Council, Place 7

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

1. DISCUSS ITEMS FROM REGULAR COUNCIL MEETING.

Council had no questions for staff.

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

There was no one present to introduce at the meeting.

3. DISCUSS THE TRAFFIC CALMING POLICY.

City Engineer Caroline Waggoner presented item. Staff is recommending a moratorium in order to review and revise the policy to omit information that is no longer relevant. In

response to Council member Welch's question, Ms. Waggoner informed Council an updated program will take approximately 8-12 weeks.

Council directed staff to move forward with the moratorium.

4. FISCAL YEAR 2018/19 BUDGET WORK SESSION.

City Manager Mark Hindman provided an overview of the budget work session. City Council received a presentation from staff on the special revenue funds, drainage utility fund, aquatics and golf funds, internal service funds, and capital projects.

EXECUTIVE SESSION

SECTION 551.071: CONSULTATION WITH CITY ATTORNEY

(1) CAUSE NO. 96-293353-17 CONNIE HARDIN V. KWIK TEK, INC., AND CITY OF NRH DBA NRH20 FAMILY WATER PARK, IN THE 96TH JDC TARRANT COUNTY; (2) CAUSE NO. 4:18-CV-00081-O MARRICO SPEARS V. CITY OF NORTH RICHLAND HILLS, TEXAS; CITY OF FORT WORTH, TEXAS; OFFICER A.J. DOMINGUEZ; OFFICER CY CRUM; OFFICER GARRETT HULL, IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS, FORT WORTH DIVISION; (3) PENDING OR POTENTIAL LITIGATION WITH CHESAPEAKE ENERGY CORP., AND TOTAL E&P USA., INC; (4) LEGAL ISSUES RELATED TO NORTH RICHLAND HILLS CODE OF ORDINANCES CHAPTER 18, ARTICLE VII, SOLICITORS AND HANDBILLS

SECTION 551.072: DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY - 4705 CUMMINGS DRIVE

Mayor Trevino announced at 6:21 p.m. that the Council would adjourn into Executive Session as authorized by Chapter 551 of the Texas Government Code, specifically Section 551.071: Consultation with City Attorney - (1) Cause No. 96-293353-17 Connie Hardin v. Kwik Tek, Inc., and City of NRH dba NRH20 Family Water Park, in the 96th JDC Tarrant County; (2) Cause No. 4:18-CV-00081-O Marrico Spears v. City of North Richland Hills, Texas; City of Fort Worth, Texas; Officer A.J. Dominguez; Officer Cy Crum; Officer Garrett Hull, in the United States District Court for the Northern District of Texas, Fort Worth Division; (3) Pending or potential litigation with Chesapeake Energy Corp., and Total E&P USA., Inc; (4) Legal issues related to North Richland Hills Code of Ordinances Chapter 18, Article VII, Solicitors and Handbills and Section 551.072: Deliberate the purchase, exchange, lease or value of real property - 4705 Cummings Drive. Executive Session began at 6:31 p.m. Mayor Pro Tem Benton concluded Executive Session at 7:05 p.m.

REGULAR MEETING

A. CALL TO ORDER

Mayor Trevino called the meeting to order July 23, 2018 at 7:14 p.m.

Present:	Oscar Trevino	Mayor
	Mike Benton	Mayor Pro Tem
	Tito Rodriguez	Council, Place 1
	Rita Wright Oujesky	Council, Place 2
	Tom Lombard	Council, Place 3
	Tim Barth	Council, Place 4
	Scott Turnage	Council, Place 6
	Tim Welch	Council, Place 7

Staff Members:	Mark Hindman	City Manager
	Alicia Richardson	City Secretary
	Maleshia B. McGinnis	City Attorney

A.1 INVOCATION

Council member Turnage gave the invocation.

A.2 PLEDGE

Council member Turnage 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

Ms. Marilyn Ackmann with Atmos Energy informed Council she is retiring at the end of September. She introduced her replacement Darwin Winfield.

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

No items were removed from the consent agenda.

B. CONSIDER APPROVAL OF CONSENT AGENDA ITEMS

There were no items for this category.

C. PUBLIC HEARINGS

- C.1 SDP 2018-03, ORDINANCE NO. 3523, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM BEATEN PATH DEVELOPMENT FOR A SPECIAL DEVELOPMENT PLAN AT THE NORTHWEST AND NORTHEAST CORNERS OF MID CITIES BOULEVARD AND HOLIDAY LANE, BEING 11.89 ACRES DESCRIBED AS LOT 2, BLOCK 1, CARRINGTON CENTER; LOTS 2R1, 3R, 4, AND PORTION OF 1R, BLOCK 34, FOX HOLLOW ADDITION; AND TRACTS 11 AND 11D, JOHN H. BARLOUGH SURVEY, ABSTRACT 130.**

APPROVED

Mayor Trevino filed a conflict of interest form with the City Secretary stating that his wife owns property adjacent to the request and is part of the development request. Mayor Trevino left the dais at 7:22 p.m.

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

Mr. Comstock informed Council the applicant is requesting a special development plan for 11.89 acres located at the northwest and northeast corners of Mid Cities Boulevard and Holiday Lane. The area is designated on the Comprehensive Land Use Plan as transit oriented development and the current zoning is transit oriented development. Mr. Comstock presented site photos of the property.

Applicant representative John Pitstick with Beaten Path Development located at 700 Harwood Road, presented request. The property was selected for its close proximity to the rail station. The development has a centralized open space and all proposed owner occupied homes will include rear entry garages. The private yards and open space will be maintained by a homeowner association. The proposed home sale prices range between \$250,000 and \$350,000. The housing product is based off the best selling townhomes by CB Jeni in Viridian in Arlington. The primary market is young single professionals and the secondary market is couples of all ages. The market feasibility shows it appeals to the lock and leave lifestyle with access to trails, rails and highways. Mr. Pitstick addressed concerns regarding traffic, land use, density, parking and elevations.

Beaten Path Development owner Dustin Austin discussed the proposed housing product.

Mr. Comstock presented staff's report. He reviewed the proposed waivers to the transit oriented district. The request seeks single family townhomes as opposed to arterial mixed use (TOD subzone); 22 foot townhome lot width as opposed to 25 foot (townhome

lot width); 5-foot sidewalk as opposed to 6-foot sidewalk in select locations and each street customized to fit the neighborhood and context (customized street design); apply standard of 30% window and door coverage of all street facing facades to first floor only and a minimum of 20% on side-street facing facades (window and door coverage); continuous concrete parking lane as opposed to 20 feet width maximum (parking driveway width); 7 feet minimum setback as opposed to 10 feet minimum setback (build-to zone); and 30 feet between buildings and three townhome units face the side of another unit (building separation). Comments from the Development Review Committee include uncertainty of local market for 22-foot and 19-foot townhomes, units facing major arterial, larger centralized open space, improved pedestrian connections, connectivity provided, and product diversity. The Planning and Zoning Commission, at their June 21, 2018 meeting, recommended denial with a vote of 4-1.

Council and staff discussed the proposed homes and development. Council member Turnage asked Mr. Austin if he would consider the design elements as depicted in the picture (DRC review-local market) included in staff's presentation for the townhomes and single family attached.

Mr. Austin commented that he would not be opposed to incorporating the design elements. He further commented that he would work with staff to enhance the product.

Council member Wright Oujesky concurred with Council member Turnage's comments.

In response to Council member Welch's question, Mr. Austin clarified they would adhere to the regulations concerning insulation for homes built along the rail.

In response to Council member Rodriguez's question, Mr. Comstock informed Council the Hillside Villas going in across the street will include a masonry screening wall where the units abut Mid Cities Boulevard. He clarified there would be no commercial.

Council member Lombard stated that the public comments at the Planning and Zoning Commission meeting and in their packet express concern with changing the arterial mixed use to single family townhomes. He asked for staff's input on the proposed change. Mr. Comstock agreed with the applicant's comment that the commercial desire for the transit oriented development will be in the transit oriented development core and closer to the rail station. Staff has discussed with Council that Main Street would serve as the main hub for commercial activity.

Mayor Pro Tem Benton called for anyone wishing to speak during the public hearing to come forward. The following people spoke in opposition: Vicent O'Conner, 7802 Arthur Drive; Colleen O'Connor, 7800 Arthur Drive; Pake Rossi, 7804 Arthur Drive; Jessica Rossi, 7804 Arthur Drive; Jim O'Connor, 1712 Avalon Drive, Colleyville, Texas; and

Patrick O'Connor, 7800 Arthur Drive.

The following people spoke in favor: David Hinson, 14650 Dallas Parkway, #900, Dallas, Texas; Sami Ebrahim, 7601 Mid Cities Boulevard; Scott Kunkel, 7801 Mid Cities Boulevard and Marc Trevino, 7300 Bursey Road.

A MOTION WAS MADE BY COUNCIL MEMBER TURNAGE, SECONDED BY COUNCIL MEMBER RODRIGUEZ TO APPROVE SDP 2018-03, ORDINANCE NO. 3523 AS PRESENTED WITH STAFF TO ENSURE ARCHITECTURAL COMPLIANCE AND FEATURES AS IDENTIFIED AS EXHIBIT D DURING PRESENTATION.

MOTION TO APPROVE CARRIED 7-0.

D. PLANNING AND DEVELOPMENT

There were no items for this category.

E. PUBLIC WORKS

E.1 CONSIDER ORDINANCE NO. 3519, REDUCING THE SPEED LIMIT TO 40MPH ALONG NORTH TARRANT PARKWAY FROM A POINT 800 FEET EAST OF THE NORTH RICHLAND HILLS CITY LIMIT TO THE KELLER CITY LIMIT LINE.

APPROVED

City Engineer Caroline Waggoner presented item.

Mayor Trevino returned to the meeting and dais at 8:56 p.m.

Council had no questions for staff.

A MOTION WAS MADE BY COUNCIL MEMBER WELCH, SECONDED BY COUNCIL MEMBER TURNAGE TO APPROVE ORDINANCE NO. 3519.

MOTION TO APPROVE CARRIED 7-0.

E.2 CONSIDER ORDINANCE NO. 3520, ESTABLISHING A TEMPORARY MORATORIUM ON THE TRAFFIC CALMING POLICY.

APPROVED

City Engineer Caroline Waggoner presented item.

Council had no questions for staff.

A MOTION WAS MADE BY COUNCIL MEMBER LOMBARD, SECONDED BY COUNCIL MEMBER WRIGHT OJESKY TO APPROVE ORDINANCE NO. 3520.

MOTION TO APPROVE CARRIED 7-0.

E.3 CONSIDER RESOLUTION NO. 2018-020 APPROVING AN AMENDMENT TO THE LOCAL PROJECT ADVANCE FUNDING AGREEMENT FOR THE DAVIS AND MID-CITIES INTERSECTION IMPROVEMENT PROJECT FOR ADDITIONAL GRANT FUNDS, AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT, AND APPROVING A REVISION TO THE FY17-18 CAPITAL PROJECTS BUDGET IN THE TOTAL AMOUNT OF \$656,487.

APPROVED

Civil Engineer Justin Naylor presented item.

Council had no questions for staff.

A MOTION WAS MADE BY MAYOR PRO TEM BENTON, SECONDED BY COUNCIL MEMBER RODRIGUEZ TO APPROVE RESOLUTION NO. 2018-020.

MOTION TO APPROVE CARRIED 7-0.

F. GENERAL ITEMS

F.1 APPROVE REIMBURSEMENT RESOLUTION NO. 2018-015 FOR THE REVISED FISCAL YEAR 2017/2018 CAPITAL IMPROVEMENT PROGRAM AND ASSOCIATED EQUIPMENT AND SERVICES IN AN AMOUNT NOT TO EXCEED \$750,000

APPROVED

Director of Finance Mark Mills presented item.

Council had no questions for staff.

A MOTION WAS MADE BY COUNCIL MEMBER LOMBARD, SECONDED BY COUNCIL MEMBER BARROW TO APPROVE RESOLUTION NO. 2018-015.

MOTION TO APPROVE CARRIED 7-0.

F.2 CONSIDER RESOLUTION NO. 2018-022, AUTHORIZING SUBMISSION OF THE APPLICATION FOR THE DEPARTMENT OF JUSTICE COMMUNITY ORIENTED POLICING SERVICES SCHOOL VIOLENCE PREVENTION FY 2018 GRANT PROGRAM

APPROVED

Director of Public Safety Jimmy Perdue presented item.

Council had no questions for staff.

A MOTION WAS MADE BY COUNCIL MEMBER RODRIGUEZ, SECONDED BY COUNCIL MEMBER WRIGHT OUESKY TO APPROVE RESOLUTION NO. 2018-022.

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

Director of Economic Development Craig Hulse presented the item. Staff is recommending Council authorize the city manager to submit an offer and negotiate the purchase of a residential lot located at 4705 Cummings Drive E in an amount not to exceed \$21,000.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUESKY, SECONDED BY COUNCIL MEMBER BARROW TO AUTHORIZE THE CITY MANAGER TO SUBMIT AN OFFER AND NEGOTIATE THE PURCHASE OF A RESIDENTIAL LOT, APPROXIMATELY 18,700 SQUARE FEET AT 4705 CUMMINGS DRIVE E, FOR AN AMOUNT NOT TO EXCEED \$21,000 AND EXECUTE ALL NECESSARY AND RELATED DOCUMENTS TO AFFECT THE PURCHASE.

MOTION TO APPROVE CARRIED 7-0.

H. INFORMATION AND REPORTS

H.1 ANNOUNCEMENTS

Council member Welch made the following announcements.

The NRH Library invites you to learn about the Magic of Owls this Friday, starting at 2:00 p.m. The special presentation by Blackland Prairie Raptors is open to ages 6 and up. Afterwards, enjoy the Harry Potter Birthday Celebration at the Library from 3:00 p.m. to 5:00 p.m. Please visit the Library website for more information.

The Common Ground Community Garden and Keep NRH Beautiful invite you to a free Fall Gardening Seminar starting at 9:30 a.m. on Saturday, August 4, 2018 at the Library. Attendees will learn about bees, planting bulbs, composting, and how to test your soil. Master gardeners will also be present to answer questions. Visit the city's website or call Neighborhood Services for more information.

The Animal Adoption & Rescue Center is hosting a Low Cost Pet Vaccination Clinic on Saturday, August 4, 2018. Bring your pet by between 10:00 a.m. and Noon for a rabies shot, registration tag and microchip. Contact Animal Services for more information.

Kudos Korner - Rayneice Jones in Neighborhood Services - A resident emailed his appreciation for Rayneice's response to his complaint about a property with multiple code violations in his neighborhood. He said she is "a caring professional that takes pride in a position that is often quite frustrating. She listens to our concerns and takes the appropriate actions to remediate the code infractions. This young lady is truly an asset to our community!"

I. ADJOURNMENT

Mayor Trevino adjourned the meeting at 9:22 p.m.

Oscar Trevino, Mayor

Alicia Richardson, City Secretary