

**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  
JANUARY 8, 2018**

WORK SESSION

The City Council of the City of North Richland Hills, Texas met in work session on the 8th day of January 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:	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

**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.

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

Director of Public Safety Jimmy Perdue introduced Jenessa Atkins and Amanda Sandhu. Ms. Atkins works in the police department and replaces Rowlette Williams. Ms. Sandhu replaces the vacancy created by Ms. Atkins.

Public Information Director Mary Peters introduced Dakota Ford the new lead video production assistant.

### **3. DISCUSS POLICY FOR PLACING CERTAIN MINOR PLATS ON FUTURE CONSENT AGENDAS.**

Planning Manager Clayton Comstock informed Council the purpose for the item this evening is to seek guidance regarding plats and the ability to place minor plats on the consent agenda. Section 212.0065 of the Texas Local Government Code, provides that the governing body may delegate the responsibility to approve amending plats, minor plats, or plats that do not require any new street or extension of municipal facilities to a city employee(s). Pursuant to City Charter, the City Council makes final approval or denial of plats. The City Charter, specifically this section, has not been amended since August 1992. Section 212.010 of the Texas Local Government Code provides standards for plat approval that includes: the application is complete, it conforms to the zoning code and comprehensive plan, and conforms to the subdivision code. Staff is coming forward to determine if City Council would be amenable to placing certain plats on the consent agenda. Those being amended plats and final plats that meet the following criteria: (1) 4 lots or less; (2) no public infrastructure requirements or rough proportionality; (3) item does not have an associated zoning change, special use permit or other public hearing action on the same agenda; (4) consistent with preliminary plat (if applicable); (5) consistent with zoning; (6) no subdivision ordinance variances; and (7) no known public opposition/interest. This will not impact plat revisions or plats that include recommendations by the Planning and Zoning Commission.

The consensus of Council is for staff to move forward with placing amended plats and final plats as outlined by staff on the consent agenda. Council directed staff to let applicants know that they are still required to be present at City Council meetings. Staff was reminded that the request is not responsibility of city employees, but the applicant.

In response to Council member Welch's question, Mr. Comstock advised that the addition of, or revision of an easement falls under the category of an amended plat, and would be placed on the consent agenda. An easement abandonment would trigger a plat revision, which would remain on the regular agenda.

#### **EXECUTIVE SESSION**

Mayor Trevino announced at 6:12 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 - 6700, 6704 and 6720 NE Loop 820. Executive Session began at 6:17 p.m. and concluded at 6:33 p.m.

Mayor Trevino announced at 6:34 p.m. that Council would convene to the regular City

Council meeting.

**REGULAR MEETING**

**A. CALL TO ORDER**

Mayor Trevino called the meeting to order January 8, 2018 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:	Mark Hindman	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)**

**A.3.1 PRESENTATION OF 2017 CHRISTMAS LIGHTING AWARDS**

Keep NRH Beautiful Commission Chair Kathy Luppy, with the assistance of Mayor Pro Tem Turnage and Council member Wright Oujesky, recognized the following 2017 Christmas lighting award winners.

- Area 1: Patricia Weaver, 6216 Windsor
- Area 2: Robert and Lynette Beale, 4830 Blaney
- Area 3: Judy Paschall, 4809 Fairway Court
- Area 4: Robert Simmons, 7437 North Richland Boulevard
- Area 5: Stan Hunt, 8412 Bridge Street
- Area 6: Douglas and Tabatha Riberich, 7101 King Ranch Road

Area 7: Frank Kossler, 8800 Thornway  
Area 8: James and Karen Hughes, 6736 Fair Oaks  
Area 9: Albert and Beverly Davis, 8000 Canyon Oak

**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 COUNCIL MEMBER LOMBARD, SECONDED BY COUNCIL MEMBER RODRIGUEZ TO APPROVE THE CONSENT AGENDA.**

**MOTION TO APPROVE CARRIED 7-0.**

**B.1 APPROVE MINUTES OF THE DECEMBER 11, 2017 REGULAR CITY COUNCIL MEETING.**

**B.2 MODIFY THE 2018 CITY COUNCIL MEETING SCHEDULE.**

**B.3 AUTHORIZE A ONE (1) YEAR PURCHASE AGREEMENT WITH GENERAL DATATECH, L.P. FOR CISCO SYTEMS HARDWARE AND SOFTWARE MAINTENANCE IN THE AMOUNT OF \$147,637.35.**

**B.4 AUTHORIZE THE CITY MANAGER TO EXECUTE A RENEWAL CUSTOMER AGREEMENT WITH CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS FOR CELL PHONE SERVICE, MOBILE BROADBAND SERVICE, AND RELATED PRODUCTS THROUGH APRIL 27, 2020 FOR AN ANNUAL AMOUNT NOT TO EXCEED \$90,000.**

**C. PUBLIC HEARINGS**

**C.1 SUP 2017-12, ORDINANCE NO. 3493, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM ARCHER WESTERN/HERZOG JV FOR A SPECIAL USE PERMIT FOR A 60-FOOT TALL COMMUNICATIONS TOWER IN THE RAILROAD RIGHT-OF-WAY IN THE 6400 BLOCK OF SMITHFIELD ROAD, BEING DESCRIBED AS A PORTION OF TRACT 16, JOHN H. BARLOUGH SURVEY, ABSTRACT 130.**

**APPROVED**

*Mayor Trevino announced that Council member Rodriguez would abstain from voting. He filed an affidavit of disqualification with the city secretary stating his conflict is that he serves on the Fort Worth Transportation Authority Board of Directors.*

*Council member Rodriguez left the dais at 7:11 p.m.*

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 special use permit for a communications tower to be placed in the railroad right-of-way, located in the 6400 block of Smithfield Road. 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 Blair Severson, 2200 Halladay Trail, Fort Worth, Texas presented item. He commented that the request for the column tower is an antenna that supports their communication system with the rail. In addition to the proposed tower in North Richland Hills, they will install one in Fort Worth (North Side station) and Grapevine. The track is 27 miles and the three column towers will provide the coverage needed by engineers and dispatchers. He provided pictures that show the likeness of the column tower that will be installed at the Smithfield station.

Council had no questions for the applicant.

Mr. Comstock presented staff's report. The request before Council this evening is to consider a 60-foot communications tower to be placed in the railroad right-of-way and adjacent to the Smithfield TEXRail station. The zoning ordinance requires a special use permit for communications towers over 45 feet in height. Mr. Comstock reviewed the site plan, construction for the proposed tower, and regulations associated with the special use permit. The Planning and Zoning Commission, at their January 4, 2018 meeting, recommended approval with a vote of 7-0. Staff recommends approval of the request.

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 MAYOR PRO TEM TURNAGE, SECONDED BY COUNCIL MEMBER BENTON TO APPROVE SUP 2017-12.**

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

**C.2 RP 2017-11 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM GOODWIN & MARSHALL, INC., FOR A REPLAT OF LOT 19, BLOCK A, THE VILLAS AT SMITHFIELD, PHASE 2, ON 3.114 ACRES LOCATED IN THE 6800 BLOCK OF DAVIS BOULEVARD.**

**APPROVED**

*Council member Rodriguez returned to the dais at 7:19 p.m.*

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 3.114 acres, located on the east side of Davis Boulevard and south of Odell Street to incorporate property into the overall Villas at Smithfield subdivision. The proposed replat includes three lots (Lot 19, Lot 8R, and Lot 9XR). 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 John Pitstick with Beaten Path Development, located at 700 West Harwood Road, Hurst, Texas presented request.

Council had no questions for the applicant.

Mr. Comstock presented staff's report. The proposed replat meets the requirements of the zoning ordinance and subdivision regulations. The Planning and Zoning Commission, at their January 4, 2018 meeting, recommended approval with a vote of 6-0-1, with Commissioner Welborn abstaining. Staff recommends approval of the request.

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 WRIGHT OUJESKY, SECONDED BY COUNCIL MEMBER RODRIGUEZ TO APPROVE RP 2017-11.**

**MOTION TO APPROVE CARRIED 7-0.**

**D. PLANNING AND DEVELOPMENT**

**D.1 AP 2017-05 CONSIDERATION OF A REQUEST FROM JBI PARTNERS, INC., FOR AN AMENDED PLAT OF HOMETOWN CANAL DISTRICT PHASE 5A ON 12.924 ACRES LOCATED SOUTHWEST OF THE INTERSECTION OF ICE HOUSE DRIVE AND BRIDGE STREET.**

**APPROVED**

Planning Manager Clayton Comstock introduced items D.1 and D.2. The applicant is requesting approval of an amended plat (D.1) for 12.924 acres located southwest of the intersection of Ice House Drive and Bridge Street. The purpose of the amended plat is to revise utility easements and adjust finished floor elevations on lots adjacent to the canal. Item D.2, the applicant is requesting approval of an amended plat for 3.984 acres located southeast of the intersection of Ice House Drive and Bridge Street. The purpose of the amended plat is to revise utility easements to coincide with constructed utilities. The area for both items are 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 Josh Luke with JBI Partners, located at 16301 Quorum Drive, Suite 200B, Addison, Texas presented item.

Council had no questions for the applicant.

Mr. Comstock presented staff's report. If approved, the amended plat for item D.1 corrects the following: (1) minimum finished floor elevations are revised on the lots adjacent to the canal. The affected properties are Lots 6-13 and 36-45, Block C; (2) location of several 7-foot by 7-foot utility easements are revised to coincide with the constructed utilities; (3) five-foot wide utility easements are added to Lots 5 and 32, Block B, and Lots 3, CA-C2, and CA-C4, Block C, to coincide with the constructed utilities; and (4) location of the five-foot utility easement on Lot CA-A1, Block A (open space lot) is revised to coincide with the constructed utilities. The amended plat for item D.2 corrects the following: (1) location of several 7-foot by 7-foot utility easements are revised to coincide with the constructed utilities; and (2) five-foot wide utility easement is added to Lot 5, Block A, to coincide with the constructed utilities. Mr. Comstock commented that the plats would not increase the number of lots or alter or remove any recorded covenants or restrictions on the property. The proposed amended plats meet the requirements of the zoning ordinance and subdivision regulations. The Planning and

Zoning Commission, at their January 4, 2018 meeting, recommended approval for both plats with a vote of 7-0. Staff recommends approval of the request.

Council had no questions for staff.

**A MOTION WAS MADE BY COUNCIL MEMBER LOMBARD, SECONDED BY MAYOR PRO TEM TURNAGE TO APPROVE AP 2017-05.**

**MOTION TO APPROVE CARRIED 7-0.**

**D.2 AP 2017-06 CONSIDERATION OF A REQUEST FROM JBI PARTNERS, INC., FOR AN AMENDED PLAT OF HOMETOWN CANAL DISTRICT PHASE 5B ON 3.984 ACRES LOCATED SOUTHEAST OF THE INTERSECTION OF ICE HOUSE DRIVE AND BRIDGE STREET.**

**APPROVED**

This item was presented with D.1.

**A MOTION WAS MADE BY COUNCIL MEMBER BENTON, SECONDED BY COUNCIL MEMBER WRIGHT OUJESKY TO APPROVE AP 2017-06.**

**MOTION TO APPROVE CARRIED 7-0.**

**E. PUBLIC WORKS**

**E.1 CONSIDER ORDINANCE NO. 3494 AMENDING LAND USE ASSUMPTIONS AND THE CAPITAL IMPROVEMENTS PLAN FOR WATER AND WASTEWATER IMPROVEMENTS, AND AMENDING WATER AND WASTEWATER IMPACT FEES.**

**APPROVED**

City Engineer Caroline Waggoner presented item. The request before Council this evening is to consider an ordinance to update the land use assumptions, capital improvement plans for water and wastewater, and impact fee rates for water and wastewater. Pursuant to Chapter 395 of the Texas Local Government Code, the City Council conducted a public hearing on December 11, 2017 to receive comments from the public regarding Ordinance No. 3494. If approved, the ordinance adopts the land use assumptions and capital improvement plan for water and wastewater and establishes a phased implementation of the updated impact fees. At this same meeting, the City Council directed staff to move forward with a phased implementation for the impact fee rates. The phased implementation includes rates being increased over a three year



period with a 1/3 increase in rates beginning with the adoption year 1 (January 8, 2018 - January 7, 2019), then increasing twice more by 1/3 to arrive at the full rate in year 3 (January 8, 2020 - January 7, 2021). Ms. Waggoner informed Council the impact fee rates for any given property are based on the effective date of the property's plat.

**A MOTION WAS MADE BY COUNCIL MEMBER LOMBARD, SECONDED BY COUNCIL MEMBER RODRIGUEZ TO APPROVE ORDINANCE NO. 3494.**

**MOTION TO APPROVE CARRIED 7-0.**

**E.2 CONSIDER RESOLUTION NO. 2018-001, RECOMMENDING THE AWARD OF A CONSTRUCTION CONTRACT BY TARRANT COUNTY TO MCCLENDON CONSTRUCTION COMPANY FOR THE MEADOW COURT STREET IMPROVEMENT PROJECT FOR THE 43RD ANNUAL COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT IN THE TOTAL CONTRACT AMOUNT OF \$263,929.00, AND APPROVE THE ASSOCIATED BUDGET TRANSFER.**

**APPROVED**

City Engineer Caroline Waggoner presented item. The purpose for this request is to consider awarding a construction contract to McClendon Construction by Tarrant County for the reconstruction of Meadow Court. The project will change Meadow Court from an asphalt street section to a concrete street section and include installation of sidewalks. Due to rising construction prices, the bids came in over the project estimates. Staff proposes to utilize project savings (Lynda Court project) in the amount of \$35,000 to offset the balance.

**A MOTION WAS MADE BY COUNCIL MEMBER WELCH, SECONDED BY COUNCIL MEMBER BENTON TO APPROVE RESOLUTION NO. 2018-001.**

**MOTION TO APPROVE CARRIED 7-0.**

**F. GENERAL ITEMS**

There were no items for this category.

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

Mayor Trevino announced there is no action necessary as the result of Executive Session.

## **H. INFORMATION AND REPORTS**

### **H.1 ANNOUNCEMENTS**

Council member Wright Oujesky made the following announcements.

City Hall and other non-emergency city offices will be closed for staff training on Martin Luther King, Jr. Day, Monday, January 15, 2018. The Library, Animal Adoption & Rescue Center and Senior Center will also be closed. The NRH Centre and Iron Horse Golf Course will be open. Garbage and recycling will be collected as normally scheduled.

NRH2O Family Water Park is hosting the Polar Plunge, benefiting Special Olympics Texas and local athletes, on Saturday, January 20, 2018. Find more information and sign up at [www.nrh2o.com/polarplunge](http://www.nrh2o.com/polarplunge).

Kudos Korner - Robert Raley, Chris Legg, Chris Dunlop, Wayne Estep, John Brandt and Pooch Amy of the Public Works Department - Numerous comments of thanks and appreciation were received for the crew that responded to a major water main break on Davis Boulevard on New Year's Day. One resident wrote: "These water department guys deserve a large show of appreciation. It is well below freezing and they are out there working in that water and mud." Another said: "We much appreciate the hard work, especially on a cold day and even more so on a holiday!"

## **I. ADJOURNMENT**

Mayor Trevino adjourned the meeting at 7:34 p.m.

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Oscar Trevino, Mayor

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Alicia Richardson, City Secretary