

**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  
NORTH RICHLAND HILLS, TX 76180  
JUNE 27, 2016**

WORK SESSION

The City Council of the City of North Richland Hills, Texas met in work session on the 27th day of June 2016 at 6:00 p.m. in the City Council Workroom prior to the 7:00 p.m. regular Council meeting.

Present:	Oscar Trevino	Mayor
	Tim Welch	Mayor Pro Tem
	Tito Rodriguez	Council, Place 1
	Tom Lombard	Council, Place 3
	Tim Barth	Council, Place 4
	Scott Turnage	Council, Place 6
Absent:	Rita Wright Oujesky	Council, Place 2
	David Whitson	Council, Place 5
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
	Cara L. White	City Attorney

CALL TO ORDER

Mayor Trevino called the meeting to order at 6:02 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.**

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Director of Public Safety Jimmy Perdue introduced John Thorpe who was hired to fulfill the vacancy created by Frank Fiorello's retirement.

### **3. UPDATE - NEIGHBORHOOD REVITALIZATION PROGRAM**

Assistant to the City Manager Kristin James presented an overview of the Neighborhood Revitalization Program. The program awards a 20% grant, up to \$10,000, for the completion of well designed home renovations within a targeted area, being south of Loop 820, east of Rufe Snow, and north of Glenview. To date, seven (7) homes have been sold, six (6) are in construction or on the market and one (1) is pending approval. The average sales price for the homes is \$166,542.86. The total incentive paid to date is \$129,740.

Council had no questions for staff.

### **4. DISCUSS REVISIONS TO CITY CODE OF ORDINANCES, ARTICLE III. - BOARDS, COMMISSIONS AND COMMITTEES.**

City Secretary Alicia Richardson informed Council this item was placed on work session as a result of discussion at their June 13 work session meeting. At this meeting, Council discussed their expectations of appointees to adhere to the attendance requirement. Based on their discussion, staff was directed to bring forward proposed revisions to increase the minimum percentage of meetings attended from 50 to 75, and a mechanism to provide notification when an appointee has missed three meetings within a six (6) month time frame. Staff researched the City Charter regarding method of appointment and removal of Planning and Zoning Commission members. While the Charter states that members may be removed by the Mayor with the consent of the City Council after a public hearing and for cause set forth in writing; it does not preclude the City Council from appointing new members to places whose terms have expired. The term of Planning and Zoning Commission members is two years. Staff recommends proposed language for a future Charter Amendment Election to remove the public hearing requirement prior to removal of a Planning and Zoning Commission member.

City Manager Mark Hindman informed Council that staff would draft an ordinance for consideration by Council.

## **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 Sections 551.072: deliberate the purchase, exchange, lease or value of real property - (1) 7301 NE Loop 820, (2) Southeast corner of Rufe Snow and NE Loop 820 and (3) Northwest corner of Davis Boulevard and Main Street; 551.087: deliberate the offer of financial or other incentives to a business project with which the city is conducting economic development negotiations - Southeast corner of Rufe Snow and NE Loop 820; and 551.074: personnel matters to deliberate the employment, evaluation, and duties of public employees - consideration of extension of injury leave for a police officer. Executive Session began at 6:28 p.m. and concluded at 6:52 p.m.

Mayor Trevino announced at 6:53 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 June 27, 2016 at 7:00 p.m.

Present:	Oscar Trevino	Mayor
	Tim Welch	Mayor Pro Tem
	Tito Rodriguez	Council, Place 1
	Tom Lombard	Council, Place 3
	Tim Barth	Council, Place 4
	Scott Turnage	Council, Place 6

Absent:	Rita Wright Oujesky	Council, Place 2
	David Whitson	Council, Place 5

Staff Members:	Mark Hindman	City Manager
	Alicia Richardson	City Secretary
	Cara L. White	City Attorney

### **A.1 INVOCATION**

Council member Lombard gave the invocation.

## **A.2 PLEDGE**

Council member Lombard and members from Cub Scout Pack 220 led the pledge of allegiance to the United States and Texas flags.

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

### **A.3.1 2015 UNITED WAY CAMPAIGN PRESENTATION**

Assistant City Manager Paulette Hartman introduced 2015 United Way Chair Eva Ramirez. Ms. Ramirez reviewed the activities held by the United Way Committee during the campaign drive. The committee raised over \$64,000 and a check was presented to Faye Beaulieu, Regional Director of the United Way Northeast.

## **A.4 CITIZENS PRESENTATION**

Mr. Wesley Rust, 7800 Mockingbird Lane, commented on the property that was recently approved for public storage off Davis Boulevard and Mockingbird Lane. The property is unsightly and has not been mowed. He also commented on the city not spraying for mosquitoes in the La Casita Mobile Home Park.

City Manager Mark Hindman informed Council the City received authorization to spray the property, which has already taken place. The City only sprays when there is a positive test of West Nile Virus from a mosquito trap. This process is the most effective and cost efficient way to spray for West Nile and is the recommended practice by Tarrant County.

## **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**

**COUNCIL MEMBER LOMBARD MOVED TO THE CONSENT AGENDA. COUNCIL MEMBER TURNAGE SECONDED THE MOTION.**

**MOTION TO APPROVE CARRIED 5-0.**

**B.1 APPROVE MINUTES OF THE JUNE 13, 2016 REGULAR CITY COUNCIL MEETING.**

**B.2 AUTHORIZE THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF DENISON FOR THE PURCHASE OF GOODS AND SERVICES.**

**C. PUBLIC HEARINGS**

**C.1 ZC 2016-07, ORDINANCE NO. 3417, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM DUSTIN AUSTIN FOR A ZONING CHANGE FROM AG AGRICULTURAL TO R-2 SINGLE FAMILY ON 14.78 ACRES LOCATED IN THE 8100 BLOCK OF PRECINCT LINE ROAD.**

**APPROVED**

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

Planning Manager Clayton Comstock informed Council the applicant is requesting a zoning change for 14.78 acres located in 8100 block of Precinct Line Road. The area is designated on the Comprehensive Land Use Plan as Low Density Residential and the current zoning is AG Agricultural. The Low Density Residential designation provides areas for the development of traditional, low-density single-family detached dwelling units. He commented that Low Density Residential is the underlying use, but there is an alternate recommendation for Mixed Use on the Comprehensive Land Use Plan. Mr. Comstock provided site photos of the property.

Applicant Representative John Pitstick with Our Country Homes located at 700 West Hardwood Road, Hurst, presented request. In their meeting with staff, the issue of access onto Precinct Line Road was discussed. Texas Department of Transportation (TxDOT) has stated there should only be a maximum of three curb cuts for the 35-acre area. He provided a conceptual plan that showed future access to Precinct Line Road and detention ponds required for runoff to Precinct Line storm system. Our Country Homes has been in contact with surrounding homeowners in Thornbridge to notify them of the proposed development. They are currently working with affected surrounding property owners to clarify privacy fencing, open space and utility connections.

Mayor Trevino advised that he read the comments made during the public hearing at the Planning and Zoning Commission. He asked Mr. Pitstick if he visited with

property owners that have reasonable requests. Mr. Pitstick informed Council they visited with the property owners that back up to the open space area. They are willing to work with them to replace fencing, preserve some of the trees and add new trees. They have talked to the two property owners that are located at the turn on Thornbridge Drive about the existing manhole and the need to bore under their drive approaches.

Planning Manager Clayton Comstock presented staff's report. Council will have the opportunity to discuss the preliminary plat, final plat and site plan at a future meeting. The request this evening is to consider the zoning change. The Planning and Zoning Commission, at their June 2, 2016 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.

**MAYOR PRO TEM WELCH MOVED TO APPROVE ORDINANCE NO. 3417.  
COUNCIL MEMBER RODRIGUEZ SECONDED THE MOTION.**

**MOTION TO APPROVE CARRIED 5-0.**

**C.2 ZC 2016-06, ORDINANCE NO. 3418, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM ICON CONSULTING ENGINEERS, INC FOR A REVISION TO PLANNED DEVELOPMENT 36 (PD-36) LOCATED IN THE 9000-9100 BLOCKS OF NORTH TARRANT PARKWAY INCLUDING ADJACENT PARCELS ON DAVIS BOULEVARD AND PRECINCT LINE ROAD, AND FURTHER AMENDING PD-36 TO CONSOLIDATE ALL PREVIOUSLY-APPROVED SITE PLANS FOR THE PROPERTY INTO ONE COMPREHENSIVE ORDINANCE.**

**APPROVED**

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

Principal Planner Clayton Husband informed Council the applicant Icon Consulting Engineers is seeking a zoning change to amend Planned Development 36 (PD-36) to develop an El Pollo Loco fast casual restaurant located in the 9000-9100 blocks of North Tarrant Parkway. The area is designated on the comprehensive plan as Retail and current zoning is Planned Development (PD-36). The Retail designation is

intended to permit a variety of retail trade, personal and business service establishments, and offices. Mr. Husband provided site photos of the property.

Applicant representative David Gregory, 2840 West Southlake Boulevard, Suite 110, Southlake, TX presented the site plan and was available to answer questions. The proposed building is a new prototype for El Pollo Loco. They have negotiated a ground lease with Walmart to rent a portion of their existing parking lot. Mr. Gregory informed Council that El Pollo Loco is requesting a variance to the sign ordinance. They are requesting signage on all four elevations.

In response to Mayor Pro Tem Welch's question, Mr. Gregory informed Council that Walmart and El Pollo Loco are compliant with parking requirements.

Principal Planner Clayton Husband presented staff's report and reviewed the applicant's site plan, landscape plan, and photometric plan. The proposed site plan provides for 41 parking spaces, which is more than what is required for the size of the building. The Planning and Zoning Commission, at their June 2, 2016 meeting, recommended approval with a vote of 6-0 that included wall signs on two elevations of the building and addition of the landscaped islands as proposed by the Development Review Committee (DRC). Mr. Husband informed Council the ordinance before them this evening consolidates the nine site plans that have been approved over the years.

Mayor Trevino asked why the Planning and Zoning Commission did not approve additional wall signage. Mr. Husband commented that the current standards are sufficient, no similar requests were made for this property, and City Council has a method (Sign Review Board) to review signs.

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.

**COUNCIL MEMBER LOMBARD MOVED TO APPROVE ORDINANCE NO. 3418, SUBJECT TO DRC'S RECOMMENDATIONS REGARDING WALL SIGNS, PARKING LOT LANDSCAPE ISLANDS, AND FINAL CERTIFICATION OF THE SITE PLAN. COUNCIL MEMBER TURNAGE SECONDED THE MOTION.**

**MOTION TO APPROVE CARRIED 5-0.**

#### **D. PLANNING AND DEVELOPMENT**

There were no items for this category.

**E. PUBLIC WORKS**

There were no items for this category.

**F. GENERAL ITEMS**

There were no items for this category.

**G.1 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, specifically Sections 551.072: Deliberate the purchase, exchange, lease or value of real property; 551.087: Deliberate the offer of financial or other incentives to a business prospect with which the city is conducting economic development negotiations; and Section 551.074: Personnel Matters to deliberate the employment, evaluation, and duties of public employees as listed on the agenda.

Director of Economic Development Craig Hulse presented item (G.1) to Council. The former city buildings located at 6720 NE Loop 820 (NE Loop 820 and Rufe Snow) were vacated due to the loss of parking as the result of the widening of Loop 820. The departments that were housed in the buildings have since relocated to other areas in the city. Staff is bringing forward an agreement with Babe's - NRH L.L.C for a Babe's Chicken Dinner House Restaurant to be located on the southeast corner of Rufe Snow and Loop 820. It is anticipated that construction will begin before the end of the year and opening in middle of 2017. Staff is recommending that Council authorize the city manager to execute a lease and economic development agreement with Babe's - NRH L.L.C.

**COUNCIL MEMBER TURNAGE MOVED TO AUTHORIZE THE CITY MANAGER TO EXECUTE A LEASE AND ECONOMIC DEVELOPMENT AGREEMENT WITH BABE'S - NRH L.L.C. COUNCIL MEMBER BARTH SECONDED THE MOTION,**

**MOTION TO APPROVE CARRIED 5-0.**



**G.2 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 item to Council. Staff is bringing forward an agreement with Sweetie Pie's Ribeyes - NRH L.L.C for a family owned steakhouse to be located just east of the future Babe's Chicken Dinner House. It is anticipated that construction will begin early next year and opening late in 2017. Staff is recommending that Council authorize the city manager to execute a lease and economic development agreement with Sweetie Pie's Ribeyes - NRH L.L.C.

**MAYOR PRO TEM WELCH MOVED TO AUTHORIZE THE CITY MANAGER TO EXECUTE A LEASE AND ECONOMIC DEVELOPMENT AGREEMENT WITH SWEETIE PIE'S RIBEYES - NRH L.L.C. COUNCIL MEMBER RODRIGUEZ SECONDED THE MOTION.**

**MOTION TO APPROVE CARRIED 5-0.**

**G.3 EXECUTIVE SESSION ITEMS - CITY COUNCIL MAY TAKE ACTION ON ANY ITEM DISCUSSED IN EXECUTIVE SESSION LISTED ON WORK SESSION AGENDA**

**APPROVED**

City Manager Mark Hindman informed City Council that the City Charter allows city employees the opportunity to extend on the job injury leave beyond one year. A police officer was injured in the line of duty and has been on injury leave. Pursuant to City Charter, extension of injury leave requires action by the City Council. The Council previously granted an extension at their May 16, 2016 meeting, which will expire on July 10. The employee has requested additional time and staff is recommending to approve injury leave with full pay through August 12, 2016.

**COUNCIL MEMBER LOMBARD MOVED TO APPROVE POLICE OFFICER INJURY LEAVE WITH FULL PAY THROUGH AUGUST 12, 2016. COUNCIL MEMBER BARTH SECONDED THE MOTION.**

**MOTION TO APPROVE CARRIED 5-0.**

## **H. INFORMATION AND REPORTS**

### **H.1 ANNOUNCEMENTS**

Council member Turnage made the following announcements.

City Hall and other non-emergency city offices will be closed on Monday, July 4 in observance of Independence Day. The Library, Animal Adoption & Rescue Center and Tennis Center will also be closed. NRH20 Family Water Park, Iron Horse Golf Course and the NRH Centre will be open. Garbage and recycling will not be collected. Monday collections will be picked up on Tuesday and Tuesday collections will shift to Wednesday.

Join us at the Northeast Tarrant Family 4th Celebration on Monday, July 4. There will be food, fun and entertainment starting at 5:00 p.m. and a free concert by country music singer Derek Anthony at 8:00 p.m. The fireworks will begin at approximately 9:30 p.m. Parking is available at 6351 Boulevard 26 and at Wiley G. Thomas Coliseum. You can find more information on our website or by contacting the Northeast Tarrant Chamber of Commerce.

Kudos Korner - Wesley Dameron, Craig Gardner, Robert Perez, William Pratt, Ethan Smithers and Chris Turner in the Public Works Department - A resident on Lake Side Circle sent a note of thanks for the outstanding service provided by the Public Works crew repairing her street. She stated that she and her neighbors "appreciate the kind and respectful manner of city employees. Great job!"

## **I. ADJOURNMENT**

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Oscar Trevino, Mayor

ATTEST:

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Alicia Richardson, City Secretary