

**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
MARCH 4, 2024**

WORK SESSION

The City Council of the City of North Richland Hills, Texas met in work session on the 4th day of March at 6:00 p.m. in the Council Workroom prior to the 7:00 p.m. regular City 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
	Trudy Lewis	Assistant City Manager
	Caroline Waggoner	Assistant City Manager
	Alicia Richardson	City Secretary/Chief Governance Officer
	Cara White	Interim 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.

City Council had no questions for staff.

FUTURE AGENDA ITEM(S)

There were no requests from City Council for future agenda items.

EXECUTIVE SESSION

1. SECTION 551.087: DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS - 7921 BOULEVARD 26.

Mayor Trevino announced at 6:01 p.m. that the City Council would adjourn into Executive Session as authorized by Chapter 551, Texas Government Code, specifically Section 551.087: Deliberation regarding Economic Development negotiations - 7921 Boulevard 26 Executive Session began at 6:04 p.m. and concluded at 6:16 p.m.

Mayor Trevino announced at 6:16 p.m. that City Council would convene to the regular City Council meeting.

REGULAR MEETING

A. CALL TO ORDER

Mayor Trevino called the meeting to order 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
	Cara White	Interim 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. Matt Reed, 5145 Gentling Place, asked the city to improve communication with the public regarding information about city events. He suggested the city create a single

page or website.

Mr. Bryan M. Hennessy, 6905 Jessica Court, discussed safety in North Richland Hills. He commented that he frequently travels through Eden Estates and noticed there are a lot of walkers, families and runners. He suggested the city utilize eminent domain to construct a sidewalk on the west side of Eden.

A.5 PUBLIC COMMENTS

There were no requests to speak from the public.

A.6 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 WRIGHT OUJESKY, SECONDED BY COUNCIL MEMBER RODRIGUEZ TO APPROVE THE CONSENT AGENDA, AS PRESENTED.

MOTION TO APPROVE CARRIED 7-0.

B.1 APPROVE THE MINUTES OF THE FEBRUARY 26, 2024 CITY COUNCIL MEETING.

B.2 APPROVE PURCHASE OF ONE AT32 DP/DHT DITCH WITCH BORING MACHINE AND TRAILER, AND TWO HX75A HYDRO EXCAVATORS FROM THE CHARLES MACHINE WORKS (DITCH WITCH) IN THE AMOUNT OF \$772,715, THROUGH SOURCEWELL CONTRACT #RFP-110421.

C. PUBLIC HEARINGS

C.1 ZC23-0089, ORDINANCE NO. 3844, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM BARTON SURVEYING AND LASER SCANNING LLC FOR A ZONING CHANGE FROM RE-1 (RESIDENTIAL ESTATE) TO RE-2 (RESIDENTIAL ESTATE) AT 6809 LITTLE RANCH ROAD, BEING 0.55 ACRES DESCRIBED AS A PORTION OF LOT 7, BLOCK 1, MORGAN MEADOWS.

DENIED

Mayor Trevino opened the public hearing for item C.1 and called on Director of Planning

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Clayton Comstock to introduce the item and its companion item D.1, Plat24-0058.

Mr. Comstock informed City Council the applicant is requesting a zoning change for 0.55 acres located at 6809 Little Ranch Road. The area is designated on the Comprehensive Land Use Plan as residential estate and the current zoning is RE-1. Mr. Comstock provided site photos of the property. The companion item, Plat24-0058, is a replat intended to create two single-family residential lots for the purpose of constructing a single-family residence and accessory building.

Applicant representative Nikole Barton, with Barton Surveying and Laser Scanning LLC, located 2333 Minnis Drive, Suite G, Haltom City, Texas, and Mr. Tyson Finley, with Breakfall Home Solutions, located at 6080 South Hulen Street, Suite 360-278, Fort Worth, Texas, provided an overview of their request. They are requesting to rezone a portion (0.55 acre) of the property that has an existing house from RE-1 to RE-2 with the remainder of the property (1.2847 acres) retaining the RE-1 zoning district. The vacant lot would allow for the construction of a 2,000+ square foot home and an accessory building for an agricultural animal. Ms. Barton and Mr. Finley discussed the original plat of Morgan Meadows (recorded in 1958) did not indicate two-acre lots. Mr. Finley commented that they are in compliance with the covenants and restrictions of the original plat that states "No purchaser shall re-subdivide any such residential lot, into more than two (2) lots." Ms. Barton commented that more than 62% of Morgan Meadows has been replatted since 1958. She provided a map illustrating the number of lots that have changed following the original plat. Mr. Finley mentioned the last replat for Morgan Meadows was approved by the city in 2020 to subdivide a property into two lots with .63 acres and .71 acres with a 90' street frontage. Mr. Finley stated that their proposed lots would have a 100' street frontage.

Mr. Comstock presented staff's report. The request is to rezone a portion of the property from RE-1 to RE-2. The majority of the property in the area is RE-1. Mr. Comstock provided the background and history of how the residential estate characteristics were incorporated into the Vision2030 Land Use Plan that was adopted by the City Council in July 2019. City staff worked with the Strategic Planning Committee for two years and met with residents in the Morgan Meadow neighborhood and Bursey/Continental/Valley Drive neighborhood. Following the meetings and discussion with the neighborhoods, the Strategic Planning Committee created the definition of residential estate. Prior to the Vision2030 Land Use Plan, there was no separate designation for rural areas. The Strategic Planning Committee added to the definition to address periphery properties and how they would transition adjacent to residential estate neighborhoods. The Planning and Zoning Commission, at their February 15, 2024 meeting, recommended denial with a vote of 4-2. The applicant appealed the decision of the Planning and Zoning Commission to City Council. The city is in receipt of written opposition from 67% of property owners within 200 feet of the request. Pursuant to Texas Local Government Code, Section

211.006, the appeal requires a two-thirds vote to approve the request. The companion item, Plat24-0058, is to subdivide the property in two lots for the existing house (0.55 acre) and the remaining property (1.2847 acres). If the zoning change is denied, staff recommends denial of the plat. If the zoning change is approved, staff recommends approval of the plat.

City Council and staff discussed the requirements of the covenant; how the city does not enforce civil covenants; the plat's compliance with city regulations; Planning and Zoning Commission's recommendation to deny based on aligning with the Vision2030 definition of residential estate and character of the neighborhood; history of properties in Morgan Meadows that were replatted; RE-2 designation; the metes and bounds process that describes property by instrument to sell property; and the city's subdivision ordinance.

The following people spoke in opposition Mack Garvin, 6908 Little Ranch Road; Larry Reed, 6805 Little Ranch Road; Diane Moody, 6900 Little Ranch Road; Gary Chambers, 6817 Little Ranch Road; Matt Reed, 5145 Gentling Place; Tracy Bennett, 3825 Scruggs Drive; and Bill Whitsett 4141 Morgan Circle. Mr. Gary Moody, 6900 Little Ranch Road, did not wish to speak, but asked that his opposition be recorded.

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

A MOTION WAS MADE BY COUNCIL MEMBER COMPTON, SECONDED BY COUNCIL MEMBER WRIGHT OUJESKY TO DENY ORDINANCE NO. 3844.

Council member Compton discussed the Vision2030 Land Use Plan, the periphery for Morgan Meadows, previous development requests (denied) for property at Little Ranch Road and Chapman to protect the integrity of Morgan Meadows and to ensure alignment with the Vision2030 Land Use Plan.

Associate Mayor Pro Tem Vaughn stated that he thinks the property is located on the peripheral of Morgan Meadows and that the property owner has the right to subdivide/replat their property. The new residential district, RE-2, approved by City Council is why the zoning was created. The request complies with the city's zoning requirements and Morgan Meadows' covenants.

Council member Wright Oujesky stated that she served on the Vision2030 Land Use Plan and they had a lot of discussion about the large lots in Morgan Meadows. She is not in favor of a piece-meal approach for the property on Little Ranch Road.

Deputy Mayor Pro Tem Turnage stated that he is opposed to this request because the RE-2 zoning district is for periphery areas. The request before them tonight is not a periphery area.

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Council member Rodriguez thanked the applicant for their presentation and the citizens for their input.

COUNCIL MEMBER COMPTON CALLED FOR THE QUESTION, SECONDED BY COUNCIL MEMBER WRIGHT OUJESKY.

Associate Mayor Pro Tem Vaughn asked to be recognized.

City Attorney Cara White informed City Council they need to vote on the motion to call for the question.

Associate Mayor Pro Tem Vaughn called for a point of order that was recognized by Mayor Trevino. Associate Mayor Pro Tem Vaughn recited Rules of Procedure, Section 2-55, right of floor.

The motion to call for the question required a 2/3 vote of the governing body and failed with a vote of 4-3; with Council members Rodriguez, Wright Oujesky, Compton and Deputy Mayor Pro Tem Turnage voting in favor and Mayor Pro Tem Deupree, Associate Mayor Pro Tem Vaughn and Council member Orr voting against the motion.

Associate Mayor Pro Tem Vaughn Blake discussed the definition of periphery.

THE MOTION TO DENY ORDINANCE NO. 3844 CARRIED 6-1; WITH ASSOCIATE MAYOR PRO TEM VAUGHN VOTING AGAINST.

D. PLANNING AND DEVELOPMENT

D.1 PLAT24-0058 CONSIDERATION OF A REQUEST FROM BARTON SURVEYING AND LASER SCANNING LLC FOR A REPLAT OF LOTS 7R1 AND 7R2, BLOCK 1, MORGAN MEADOWS ADDITION, BEING 1.836 ACRES LOCATED AT 6809 LITTLE RANCH ROAD.

DENIED

This item was presented in conjunction with item C.1.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY COUNCIL MEMBER COMPTON TO DENY PLAT24-0058.

MOTION TO DENY CARRIED 6-1; WITH ASSOCIATE MAYOR PRO TEM VAUGHN VOTING AGAINST.

E. PUBLIC WORKS

E.1 CONSIDER A CHANGE ORDER FOR THE WALKER BRANCH CHANNEL REPAIR PROJECT (DR1701) IN THE AMOUNT OF \$57,100.

APPROVED

Assistant City Manager Caroline Waggoner presented the item. The request before City Council is to approve a change order for the Walker Branch Channel repair. The project began in October 2023 with an anticipated completion date of April 2024. It has come to staff's attention that the east bank around a concrete headwall needs to be restored. The proposed change order is \$90,200 which will be offset by \$33,100 for items no longer needed in the original contract. This change order will increase the contract completion date by 30 days.

A MOTION WAS MADE BY DEPUTY MAYOR PRO TEM TURNAGE, SECONDED BY COUNCIL MEMBER ORR TO APPROVE A CHANGE ORDER IN THE AMOUNT OF \$57,100 FOR THE WALKER BRANCH CHANNEL REPAIR PROJECT (DR1701).

MOTION TO APPROVE CARRIED 7-0.

F. GENERAL ITEMS

F.1 CONSIDER RESOLUTION NO. 2024-017, AUTHORIZING SUBMISSION OF THE APPLICATION AND ACCEPTANCE OF ALLOCATED FUNDS IF AWARDED FOR THE TEXAS GOVERNOR'S OFFICE HOMELAND SECURITY DIVISION FY2025 NORTH TEXAS ANTI-GANG CENTER, GRANT #2848910.

APPROVED

Police Chief Mike Young presented the item. The City of North Richland Hills currently serves as the fiduciary agent for the grant to fund the North Texas Anti-Gang Center (TAG Center). As the grantee, the city coordinates and manages the grant, to include payment and reimbursement of expenditures associated with the TAG Center.

A MOTION WAS MADE BY COUNCIL MEMBER RODRIGUEZ, SECONDED BY COUNCIL MEMBER WRIGHT OJESKY TO APPROVE RESOLUTION NO. 2024-017.

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. The item for City Council's consideration is the first request for an incentive in the Neighborhood Empowerment Zone. The program was adopted by City Council on October 9, 2023. The program is aimed at stimulating commercial revitalization/redevelopment and removing barriers that exist with older properties. Applicant Omega Billiards (Elancams LLC) is currently located in Hurst and looking to relocate to 7921 Boulevard 26. If approved, the \$50,000 grant will offset a portion of site improvements and include a waiver of city fees estimated at \$7,124.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY ASSOCIATE MAYOR PRO TEM VAUGHN TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN ECONOMIC DEVELOPMENT AGREEMENT AND ANY NECESSARY AND RELATED DOCUMENTS WITH ELANCAMS, LLC FOR PROPERTY LOCATED AT 7921 BOULEVARD 26.

MOTION TO APPROVE CARRIED 7-0.

H. INFORMATION AND REPORTS

H.1 ANNOUNCEMENTS

Deputy Mayor Pro Tem Turnage made the following announcements.

Stop by the NRH Library between 6:00 p.m. and 7:00 p.m. on Tuesday, March 5, 2024 for a mariachi performance. This free event is part of the Celebrating Culture series. Visit the Library's website for more details.

Join us at the NRH Centre on Thursday, March 14, 2024 for a retirement reception honoring City Manager Mark Hindman and his 14 years of service to our community. The reception will take place from 3:00 p.m. to 5:00 p.m.

The Mid-Cities Teen Book Fest will be held from 10:00 a.m. to 4:00 p.m. on Saturday, March 23, 2024 at the NRH Library. Participants will have the opportunity to hear from several best-selling young adult authors. Admission is free. Visit the Library's website for more details.

Kudos Korner - NRH Library Staff - We received several compliments about last week's Behind the Book event with author CJ Box. One person posted: "Thanks for organizing this! It was a great event!" Another said, "It was awesome." A big thank you to the library staff for providing educational, fun, and engaging events for the community.

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I. ADJOURNMENT

Mayor Trevino adjourned the meeting at 8:31 p.m.

Oscar Trevino, Mayor

ATTEST:

Alicia Richardson
City Secretary/Chief Governance Officer