

**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
SEPTEMBER 26, 2016**

WORK SESSION

The City Council of the City of North Richland Hills, Texas met in work session on the 26th day of September 2016 at 6:30 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
	Rita Wright Oujesky	Council, Place 2
	Tom Lombard	Council, Place 3
	Tim Barth	Council, Place 4
	David Whitson	Council, Place 5
	Scott Turnage	Council, Place 6
Staff Members:	Mark Hindman	City Manager
	Karen Bostic	Assistant City Manager
	Mike Curtis	Managing Director
	Alicia Richardson	City Secretary
	Cara L. White	City Attorney

CALL TO ORDER

Mayor Trevino called the meeting to order at 6:30 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

There was no one present to introduce at the meeting.

EXECUTIVE SESSION

Mayor Trevino announced at 6:33 p.m. that the Council would adjourn into Executive Session as authorized by Chapter 551, Texas government Code, specifically Section 551.071: seek legal advice from the city attorney on item C.1-ZC 2016-09 posted on the regular agenda. Executive Session began at 6:36 p.m. and concluded at 6:43 p.m.

Mayor Trevino announced at 6:43 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 September 26, 2016 at 7:00 p.m.

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

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, with the assistance of Boy Scout Joseph Hornbuckle, 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

COUNCIL MEMBER LOMBARD MOVED TO APPROVE THE CONSENT AGENDA.
COUNCIL MEMBER WHITSON SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

B.1 APPROVE MINUTES OF THE REGULAR SEPTEMBER 12, 2016 CITY COUNCIL MEETING.

B.2 AUTHORIZE CITY MANAGER TO EXECUTE A CONTRACT FOR MUNICIPAL COURT PROSECUTORIAL SERVICES AND FASTRACK PROGRAM WITH ERIC RANSLEBEN.

B.3 APPROVE THE PURCHASE OF BALLISTIC VESTS, HELMETS, AND ACCESSORIES FROM RED, THE UNIFORM TAILOR IN THE AMOUNT OF \$77,722.00.

B.4 APPROVE RESOLUTION NO. 2016-028, SELECTIVE TRAFFIC ENFORCEMENT PROGRAM FY 2017 GRANT.

C. PUBLIC HEARINGS

C.1 ZC 2016-09, ORDINANCE NO. 3429 AND ORDINANCE NO. 3431, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM ZEON PROPERTIES, LLC FOR A ZONING CHANGE FROM C-2 COMMERCIAL AND R-1 SINGLE FAMILY RESIDENTIAL TO RI-PD RESIDENTIAL INFILL PLANNED DEVELOPMENT ON 7.456 ACRES AND FROM AG AGRICULTURAL TO LR LOCAL RETAIL ON 0.413 ACRES LOCATED IN THE 7500 BLOCK OF DAVIS BOULEVARD.

APPROVED

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

Planning Manager Clayton Comstock introduced the item.

Applicant representative Osama Nashed, 5000 Thompson Terrace, Colleyville, Texas presented the request.

Mr. Comstock presented staff's report and Planning and Zoning Commissions recommendation for approval.

Mayor Trevino called for anyone wishing to speak for or against the request to come forward.

The following spoke in opposition:

Robert Valoon, 8536 Smith, North Richland Hills
Peggy Spradling, 7528 Kirk Road, North Richland Hills
Jimmy Sherman, 8524 Smith Drive, North Richland Hills
Michael Enlow, 8545 Smith Drive, North Richland Hills
Chuck Blankenship, 8528 Smith Drive, North Richland Hills
Brian Lindenberger, 8520 Smith Drive, North Richland Hills
Mark J. Stikkel, 8521 Smith Drive, North Richland Hills
Eldon Redelsperger, 7532 Kirk Road, North Richland Hills
Nancy Carlson, 8540 Smith Drive, North Richland Hills.

The following spoke in favor:

Jay Hearne, 7629 Northfield, North Richland Hills
Luke Steinbrink, 8541 Smith Drive, North Richland Hills
Lee Martin, 1001 Edgewater Court, Colleyville
Steven Pybus, 8533 Smith Drive, North Richland Hills
Patty Moos, 8528 Chuck Drive, North Richland Hills
Mary Michaels, Liberty Village, North Richland Hills

The following did not wish to speak but were in opposition:
Dale Currie, 8613 Rumfield, North Richland Hills

The following did not wish to speak but were in support:
Paul Moos, 8528 Chuck Drive, North Richland Hills
Glen Phillips, 8613 Terrell Drive, North Richland Hills
Karen Anfinson, 7632 Northfield Drive, North Richland Hills
Dorothy Lee Parker, P.O. Box 821314, Fort Worth

Mayor Trevino closed the public hearing.

COUNCIL MEMBER LOMBARD MOVED TO APPROVE ORDINANCE 3429 AS AN 18-LOT RESIDENTIAL INFILL PLANNED DEVELOPMENT TO INCLUDE THE GATE AT THE END OF SMITH DRIVE AND REVISE GATE DESIGN TO COVER STREET ONLY AND ALLOW FIRE CHIEF TO ORDER REPAIRS TO THE GATE. COUNCIL MEMBER TURNAGE SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

APPROVED

MAYOR PRO TEM WELCH MOVED TO APPROVE ORDINANCE 3431 (LR LOCAL RETAIL) AS PRESENTED. COUNCIL MEMBER WRIGHT OUJESKY SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

C.2 ZC 2016-14, ORDINANCE NO. 3430, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM ADIENE JONES FOR A ZONING CHANGE FROM R-1 SINGLE FAMILY TO R-1-S SPECIAL SINGLE FAMILY ON 2.06 ACRES LOCATED AT 7512 BURSEY 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 Adiene Jones is requesting a zoning change from R-1 to R-1-S for the property located at 7512 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. The remaining property located along the south side of Bursey are zoned R-1 or Agricultural (AG) with the exception of her neighbor located to the east who rezoned their property to R-1-S in August 2013. Mr. Comstock provided site photos of the property.

Applicant Adiene Jones, 7801 Forest Hills Court, North Richland Hills, Texas presented her request and was available to answer questions.

Council had no questions for the applicant.

Planning Manager Clayton Comstock presented staff's report. In 2014, the City Council held a joint work session with the Planning and Zoning Commission to set a general policy regarding "estate lots" until a more detailed discussion could take place through an

update of the Comprehensive Plan. As a result of the discussion, R-1-S zoning was encouraged for the Little Ranch Road/Meadow Creek Road and Continental Trail/Valley Drive areas, while R-1-S zoning was discouraged outside these "estate areas" and R-2 zoning discouraged within the "estate areas". The applicant's house is located outside the area encouraged for R-1-S. The keeping of livestock in R-1-S includes the housing, boarding, breeding, training, harboring, or keeping or agricultural animals such as horses, cows, cattle, sheep, fowl, or goats. Pursuant to Chapter 14 of the City's Code of Ordinances, livestock is limited to one per acre and enclosures are required and must not be located within 100 feet of another residence, but animals can roam the property. The Planning and Zoning Commission, at their September 1, 2016 meeting, recommended approval with a vote of 4-0-2. Staff's recommendation is to deny Ordinance No. 3430.

Council member Lombard clarified the maximum number of animals allowed on the property is two. Mr. Comstock informed Council the ordinance states that one livestock per acre is allowed.

In response to Council member Welch's question, Mr. Comstock informed Council a number of neighbors spoke in support of the request at the Planning and Zoning Commission.

Mayor Trevino called for anyone wishing to speak for or against the request to come forward.

Mr. David Savage, 7913 Forest View Court, spoke in support of the request.

Ms. Elizabeth Sheppard, 2856 Mimosa Park Drive, Richland Hills, Texas spoke in support of the request.

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

COUNCIL MEMBER WRIGHT OUJESKY MOVED TO APPROVE ORDINANCE NO. 3430. COUNCIL MEMBER TURNAGE SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

C.3 PUBLIC HEARING AND CONSIDERATION OF RESOLUTION NO. 2016-030, AUTHORIZING THE APPLICATION OF A TEXAS PARKS AND WILDLIFE GRANT FOR THE NORTHFIELD PARK RENOVATION PROJECT.

APPROVED

Mayor Trevino opened the public hearing and called on Managing Director of Community

Services Vickie Loftice to present the item.

Managing Director Vickie Loftice informed Council the purpose of the item is to conduct a public hearing in accordance with the Texas Parks and Wildlife Department to be eligible to apply for matching grant funds to renovate Northfield Park. The grant application is in the amount of \$500,000 and funding for the City's matching share is available through the currently approved Parks and Recreation capital improvement program budget. The project schedule anticipates a March 2017 notice of award of the grant. During renovation, the park will be closed to the public and is expected to reopen in Spring 2018. Staff is recommending that City Council approve Resolution No. 2016-030 to apply for the grant.

Mayor Trevino called for anyone wishing to speak for or against the request to come forward.

Mr. Brian Lindenberger, 8520 Smith Drive, asked who would be the staff contact for the park renovations.

Mr. Shane Cleghorn, 8529 Smith Drive, advised that he loves the park and can not wait to see the improvements.

Mayor closed the public hearing.

**COUNCIL MEMBER LOMBARD MOVED TO APPROVE RESOLUTION NO. 2016-030.
COUNCIL MEMBER WHITSON SECONDED THE MOTION.**

MOTION TO APPROVE CARRIED 7-0.

D. PLANNING AND DEVELOPMENT

There were no items for this category.

E. PUBLIC WORKS

There were no items for this category.

F. GENERAL ITEMS

F.1 CONSIDER ORDINANCE NO. 3427, ADOPTING THE 2016/2017 PROPOSED BUDGET AND AMENDING THE 2015/2016 REVISED BUDGET.

APPROVED

Director of Budget and Research Mark Mills informed Council the item before them this evening is to adopt the budget for Fiscal Year 2016/2017. Ordinance No. 3427 adopts the proposed operating budget and capital projects budget for Fiscal Year 2016/2017 and amends Fiscal Year 2015/2016 operating budget and capital projects budget.

Council had no questions for staff.

MAYOR PRO TEM WELCH MOVED TO APPROVE ORDINANCE NO. 3427, ADOPTING THE FISCAL YEAR 2016/2017 PROPOSED OPERATING BUDGET, AMENDING THE 2015/2016 OPERATING BUDGET, ADOPTING THE FISCAL YEAR 2016/2017 CAPITAL IMPROVEMENTS PROJECT BUDGET AND AMENDING THE 2015/2016 CAPITAL IMPROVEMENTS PROJECT BUDGET.

MOTION TO APPROVE CARRIED 7-0.

F.2 CONSIDER RATIFYING AN INCREASE IN PROPERTY TAX REVENUES REFLECTED IN THE FISCAL YEAR 2016/2017 ADOPTED BUDGET.

APPROVED

Director of Budget and Research Mark Mills informed Council that state law requires a separate vote of the governing body when adopting a budget that raises more revenue from property taxes than in the previous year. The increase is attributable to an increase in certified taxable value and the addition of new construction values.

Council had no questions for staff.

COUNCIL MEMBER LOMBARD MOVED TO RATIFY THE INCREASE IN PROPERTY TAX REVENUES REFLECTED IN THE FISCAL YEAR 2016/2017 ADOPTED BUDGET. COUNCIL MEMBER WRIGHT OUJESKY SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

F.3 CONSIDER ORDINANCE NO. 3428, ADOPTING THE TAX RATE FOR TAX YEAR 2016.

APPROVED

Director of Budget and Research Mark Mills informed Council the the item before them this evening is to adopt the tax rate for Tax Year 2016. The City Council is being requested to consider the adoption of Ordinance No. 3428 that sets the maintenance and operations (M&O) tax rate for Tax Year 2016 at 34.8083 cents and the debt service tax rate (I&S) at 26.1917 cents for a combined tax rate of 61 cents per \$100 of valuation.

The proposed tax rate exceeds the effective tax rate of 58.3909 cents, but remains below the rollback rate. If adopted, this would be the fifth consecutive year that the combined tax rate was set at 61 cents. State law requires specific language to adopt the tax rate if the ordinance setting the tax rate imposes an amount of taxes for maintenance and operations that exceeds the taxes imposed for that purpose in the preceding year. Mr. Mills informed Council that three motions are required to set the property tax rate for Maintenance and Operations, Interest and Sinking, and adoption of the tax rate.

COUNCIL MEMBER WRIGHT OUJESKY MOVED THAT THE PROPERTY TAX FOR MAINTENANCE AND OPERATIONS COMPONENT OF THE TAX RATE AT 34.8083 CENTS PER \$100 OF VALUATION. COUNCIL MEMBER WHITSON SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

COUNCIL MEMBER LOMBARD MOVED THAT THE PROPERTY TAX RATE FOR INTEREST AND SINKING BE SET AT 26.1917 CENTS PER \$100 OF VALUATION. COUNCIL MEMBER RODRIGUEZ SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

COUNCIL MEMBER LOMBARD MOVED THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE OF \$0.610000 PER \$100 OF VALUATION, WHICH IS EFFECTIVELY A 4.468 PERCENT INCREASE IN THE TAX RATE AND APPROVE ORDINANCE NO. 3428. COUNCIL MEMBER WRIGHT OUJESKY SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

F.4 CONSIDER RESOLUTION NO. 2016-029, APPROVING AND RATIFYING THE 2016 CERTIFIED ROLL.

APPROVED

Director of Budget and Research Mark Mills informed Council that Tarrant Appraisal District provided the City with the 2016 Certified Tax Roll. Pursuant to state law, the City Council shall ratify the Certified Tax Roll as a separate action during the budget and tax rate approval process. The certified tax roll estimated net taxable value for North Richland Hills in the amount of \$4,599,695,190, which includes \$123,818,592 in taxable new construction that is comprised of \$47,037,419 (taxable residential new construction) and \$76,781,173 (taxable commercial new construction). The average market value of a

single family residence within North Richland Hills \$199,954, excluding properties under protest at the time the certified roll was issued. This is an increase of \$33,699 compared to the 2015 average single family residence. Mr. Mills advised the increase in average home value is due to increased appraisals and the higher value of new homes constructed in North Richland Hills.

MAYOR PRO TEM WELCH MOVED TO APPROVE RESOLUTION NO. 2016-029, APPROVING AND RATIFYING THE 2016 CERTIFIED TAX ROLL. COUNCIL MEMBER BARTH SECONDED THE MOTION.

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

There was no action necessary as the result of Executive Session.

H. INFORMATION AND REPORTS

H.1 ANNOUNCEMENTS

Council member Barth made the following announcements.

Join us for the annual NRH Road Runner 5K on Saturday, October 1, 2016 starting at Green Valley Park. This year's race will benefit the Community Enrichment Center and HELP Inc. Special guest at the Road Runner 5K will be former Olympian Jeff Galloway. Visit the website to get more information and register online.

The City of North Richland Hills will observe National Night Out on Tuesday, October 4, 2016. Residents are encouraged to turn on their porch lights and gather with their neighbors to show unity against criminal activity. Contact the Police Department for more information.

Our next 'Round the Town with Oscar will be held Thursday, October 6, 2016 and will be a Back the Blue ride. Wear blue and join us at 5:45 p.m. at Cross Timbers Park to help honor all law enforcement officers. Please visit our website or call the Parks Department for more details.

Kudos Korner - Rayburn Murphy and Todd Mays in the Fire Department - A citizen posted her gratitude online for these employees after they pushed her disabled vehicle out of a busy intersection, were able to get it started again and then followed her to her destination to make sure she arrived safely. "I understand that they could not accept any gratuity, but I promise them I WILL pay it forward. If anyone knows any of them, please pass on my sincerest gratitude," she said.

I. ADJOURNMENT

Mayor Trevino adjourned the meeting at 9:23 p.m.

Oscar Trevino, Mayor

ATTEST:

Alicia Richardson, City Secretary