

**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
AUGUST 28, 2017**

WORK SESSION

The City Council of the City of North Richland Hills, Texas met in work session on the 28th day of August at 6:00 p.m. in the City Council Workroom prior to the 7:00 p.m. regular Council meeting.

Present:	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

Absent:	Oscar Trevino	Mayor
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Staff Members:	Mark Hindman	City Manager
	Karen Bostic	Assistant City Manager
	Paulette Hartman	Assistant City Manager
	Alicia Richardson	City Secretary
	Maleshia B. McGinnis	City Attorney

CALL TO ORDER

Mayor Pro Tem Turnage called the meeting to order at 6:00 p.m.

1. DISCUSS ITEMS FROM REGULAR CITY COUNCIL MEETING.

Council member Benton advised that he will recuse himself from discussing and voting on item B.2. He will request that the item be removed from the consent agenda and voted on separately by City Council.

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

Director of Neighborhood Services Stefanie Martinez introduced Keane Menefee the new animal services manager.

3. DISCUSS ATTENDANCE REQUIREMENT OF BOARD AND COMMISSION MEMBERS.

City Secretary Alicia Richardson informed Council the item was placed on the agenda to provide Council the opportunity to discuss attendance requirements for board and commission members.

In response to Mayor Pro Tem Turnage's question, Ms. Richardson informed Council the intent of Ordinance No.3419 approved last year was to increase the required participation of board members at their respective meetings. The minimum attendance requirement was increased from 50 to 75 percent. Staff interprets the ordinance as each board member shall attend a minimum of 75% of the meetings held between June 1 through July 30. The ordinance further stipulates that any member not meeting the minimum percentage shall automatically be dropped from respective board or commission. Ms. Richardson went on to say that staff understands the current language in the Code of Ordinances is not clear on the attendance requirement and a clarifying ordinance would be brought forward for consideration by Council.

City Manager Mark Hindman informed Council the automatic drop from membership does not apply to a few boards that are created by City Charter; e.g., Planning and Zoning Commission and Civil Service. The City Charter provides that a Planning and Zoning Commission member may not be removed from membership prior to their term ending without a public hearing. He suggested that the proposed ordinance limit the attendance requirement to those boards and commissions that meet four or more times in a year.

Council member Wright Oujesky informed Council that she asked for this item to be placed on the agenda. Last year the City Council discussed and agreed to increase the minimum participation of board and commission members. The most recent attendance report shows that a couple of boards do not have the entire membership at meetings. It is important that Council communicate with their appointees to see if they are still willing to serve on their respective board. The Planning and Zoning Commission only had four members at a recent meeting.

Council discussed that there could be extenuating circumstances and those would be handled on a case by case basis.

Council member Benton commented that a number of people who are interested in serving the community have completed applications. The Council needs to be ready to take action when members are not meeting the attendance requirement.

EXECUTIVE SESSION

Mayor Pro Tem Turnage announced at 6:12 p.m. that the Council would adjourn into Executive Session as authorized by Chapter 551, Texas Government Code, specifically Section 551.071: Consultation with the City Attorney to seek advice regarding (1) Cause No. 096-293353-17, Connie Hardin v. Kwik Tek Inc., and City of North Richland Hills, in the 96th Judicial District Court, Tarrant County; (2) pending or potential litigation with Chesapeake Energy Corp., and TOTAL E&P USA, Inc. Executive Session began at 6:14 p.m. and concluded at 6:33 p.m.

REGULAR MEETING

A. CALL TO ORDER

Mayor Pro Tem Turnage called the meeting to order at 7:08 p.m.

Present:	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

Absent:	Oscar Trevino	Mayor
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Staff Members:	Mark Hindman	City Manager
	Karen Bostic	Assistant City Manager
	Paulette Hartman	Assistant City Manager
	Alicia Richardson	City Secretary
	Maleshia B. McGinnis	City Attorney

A.1 INVOCATION - COUNCIL MEMBER LOMBARD

Council member Lombard gave the invocation.

A.2 PLEDGE - COUNCIL MEMBER LOMBARD

Council member Lombard 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. Tolbert Jenkins, 8001 Limerick Lane, commented on the multiple road detours in the city and toll roads in the area.

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

Due to a conflict of interest, Council member Benton removed item B.2 from the consent agenda.

B. CONSIDER APPROVAL OF CONSENT AGENDA ITEMS

APPROVED THE CONSENT AGENDA

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

MOTION TO APPROVE CARRIED 7-0.

B.1 APPROVE MINUTES OF THE REGULAR AUGUST 14, 2017 CITY COUNCIL MEETING.

APPROVED

Mayor Pro Tem Turnage announced that Council would consider item B.2.

B.2 CONSIDER RESOLUTION NO. 2017-031, AND AUTHORIZE THE CITY MANAGER TO EXECUTE A SCHOOL RESOURCE OFFICER SHARED SERVICES AGREEMENT WITH BIRDVILLE INDEPENDENT SCHOOL DISTRICT FOR THE 2017-2018 SCHOOL YEAR.

APPROVED

Council member Benton completed and filed an affidavit of disqualification with the City Secretary stating that his employer is the entity seeking to contract with the City.

Council member Benton left the dais at 7:17 p.m.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY COUNCIL MEMBER LOMBARD TO APPROVE RESOLUTION NO. 2017-031.

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

C. PUBLIC HEARINGS

C.1 CONDUCT A PUBLIC HEARING ON FISCAL YEAR 2016/2017 REVISED BUDGET AND FISCAL YEAR 2017/2018 PROPOSED BUDGET.

Council member Benton returned to the dais at 7:18 p.m.

Mayor Pro Tem Turnage opened the public hearing and called on City Manager Mark Hindman to make introductory comments.

City Manager Mark Hindman informed Council the proposed budget for Fiscal Year 2017/2018 addresses concerns outlined by citizens. The 2015 citizen survey indicates that our community wants better streets, enhanced code enforcement and increased public safety. The proposed budget focuses on those core services.

Director of Budget and Research Robert Myers presented item. The 2016/2017 revised annual operating budget and 2017/2018 proposed operating budget for all funds are as follows:

Fund

General Fund

\$46,505,450 (2016/2017 revised) \$46,606,612 (2017/2018 proposed)

Debt Service Fund

\$11,622,481 (2016/2017 revised) \$11,762,764 (2017/2018 proposed)

Tax Increment Financing Fund

\$3,010,380 (2016/2017 revised) \$2,951,968 (2017/2018 proposed)

Park and Recreation Facilities Development Fund

\$10,097,529 (2016/2017 revised) \$9,000,504 (2017/2018 proposed)

Crime Control District Fund

\$6,504,812 (2016/2017 revised) \$5,380,595 (2017/2018 proposed)

Promotional Fund

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\$258,089 (2016/2017 revised) \$259,022 (2017/2018 proposed)

Donations Fund

\$323,062 (2016/2017 revised) \$311,099 (2017/2018 proposed)

Special Investigations Fund

\$308,531 (2016/2017 revised) \$252,300 (2017/2018 proposed)

Drainage Utility Fund

\$1,172,197 (2016/2017 revised) \$1,190,524 (2017/2018 proposed)

Gas Development Fund

\$407,650 (2016/2017 revised) \$312,673 (2017/2018 proposed)

Traffic Safety Fund

\$1,197,543 (2016/2017 revised) \$1,008,016 (2017/2018 proposed)

Utility Fund

\$34,487,996 (2016/2017 revised) \$34,336,777 (2017/2018 proposed)

Aquatic Park Fund

\$5,346,671 (2016/2017 revised) \$5,268,439 (2017/2018 proposed)

Golf Course Fund

\$2,606,977 (2016/2017 revised) \$2,575,071 (2017/2018 proposed)

Facilities/Construction Management Fund

\$3,157,108 (2016/2017 revised) \$3,014,282 (2017/2018 proposed)

Fleet Services Fund

\$4,091,478 (2016/2017 revised) \$3,653,429 (2017/2018 proposed)

Information Services Fund

\$3,389,421 (2016/2017 revised) \$3,525,482 (2017/2018 proposed)

Self Insurance Fund

\$13,935,724 (2016/2017 revised) \$13,910,020 (2017/2018 proposed)

Council had no questions for staff.

Mayor Pro Tem Turnage called for anyone wishing to speak for or against the item to

come forward. There being no one wishing to speak, Mayor Pro Tem Turnage closed the public hearing.

There being no further action, Mayor Pro Tem Turnage moved to the next item.

C.2 CONDUCT A PUBLIC HEARING ON THE TAX YEAR 2017 (FISCAL YEAR 2017/2018) PROPOSED TAX RATE.

Mayor Pro Tem Turnage opened the public hearing and called on City Manager Mark Hindman to make introductory comments.

Mr. Hindman commented that one out of four residents would not see a tax increase in their bill if they are a senior or disabled property owner. Those owners have a tax ceiling, and even if property values increase, they will pay the same as the previous year. The City of North Richland Hills portion of a property owners' tax bill is less than 23%; the remaining is distributed to Tarrant County, Tarrant County hospital, Tarrant County College, and Birdville Independent School District.

Director of Budget and Research Robert Myers presented item. As required by State law, this is one of two public hearings required for the property tax rate. The second public hearing is triggered because the proposed tax rate of 0.59 cents is higher than the effective tax rate of 0.575137 cents. The proposed tax rate of 0.59 cents is two cents lower than the current tax rate of 0.61 cents.

Council had no questions for staff.

Mayor Pro Tem Turnage called for anyone wishing to speak for or against the item to come forward. There being no one wishing to speak, Mayor Pro Tem Turnage closed the public hearing.

Mayor Pro Tem Turnage announced that City Council would conduct a second tax rate public hearing on Wednesday, September 6, 2017 at 7:00 p.m. in the Council Chambers, and would vote on the adoption of the tax rate on Monday, September 11, 2017.

C.3 TR 2017-05, ORDINANCE NO. 3472, PUBLIC HEARING TO CONSIDER AMENDMENTS TO SECTIONS 118-631, TABLE OF PERMITTED USES, AND 118-633, SPECIAL LAND USE REGULATIONS, OF THE NORTH RICHLAND HILLS ZONING ORDINANCE REGARDING NETWORK NODES AND SMALL CELL ANTENNAS AS A UTILITY, ACCESSORY, AND INCIDENTAL USE.

APPROVED

Mayor Pro Tem Turnage opened the public hearing and called on Principal Planner

Clayton Husband to present item C.1 and companion items F.1 and F.2.

Principal Planner Clayton Husband informed Council the items before them this evening is in response to Senate Bill 1004 that pertains to the installation of small cell network nodes in the public rights-of-way. The proposed ordinance incorporates network nodes and small cell antennas into the table of permitted uses and special land use regulations.

Companion item F.1, amends Chapter 70 of the Code of Ordinances to add Article VIII, Small Cell Wireless Facilities. This addition complies with certain provisions of Chapter 284 of the Texas Local Government Code. Exhibit A to Ordinance No. 3473 is a design manual that outlines the rules and regulations for installing and constructing wireless facilities in the public rights-of-way. Companion item F.2, Ordinance No. 3474 provides for fees associated with small cell wireless facilities.

Council had no questions for staff.

Mayor Pro Tem Turnage called for anyone wishing to speak for or against the item to come forward. There being no one wishing to speak, Mayor Pro Tem Turnage closed the public hearing.

A MOTION WAS MADE BY COUNCIL MEMBER LOMBARD, SECONDED BY COUNCIL MEMBER RODRIGUEZ TO APPROVE ORDINANCE NO. 3472.

MOTION TO APPROVE CARRIED 7-0.

F.1 CONSIDER ORDINANCE NO. 3473, AMENDING CODE OF ORDINANCES CHAPTER 70 TO ADD ARTICLE VIII, SMALL CELL WIRELESS FACILITIES.

APPROVED

A MOTION WAS MADE BY COUNCIL MEMBER BENTON, SECONDED BY COUNCIL MEMBER WRIGHT OUESKY TO APPROVE ORDINANCE NO. 3473.

MOTION TO APPROVE CARRIED 7-0.

F.2 CONSIDER ORDINANCE NO. 3474, AMENDING APPENDIX A - FEE SCHEDULE REGARDING SMALL CELL WIRELESS FACILITIES.

APPROVED

A MOTION WAS MADE BY COUNCIL MEMBER RODRIGUEZ, SECONDED BY COUNCIL MEMBER LOMBARD TO APPROVE ORDINANCE NO. 3474.

MOTION TO APPROVE CARRIED 7-0.

D. PLANNING AND DEVELOPMENT

D.1 FP 2017-05 CONSIDERATION OF A REQUEST FROM STONE CREEK REAL ESTATE PARTNERS, LLC, FOR A FINAL PLAT OF AMUNDSON ADDITION, BLOCK A, LOTS 3-6, ON 6.91 ACRES LOCATED AT 8500 CARDINAL LANE.

APPROVED

Planning Manager Clayton Comstock informed Council the applicant is requesting a final plat for 6.91 acres located at 8500 Cardinal Lane. The area is designated on the Comprehensive Land Use Plan as retail and the current zoning is non-residential planned development. Mr. Comstock presented site photos of the property.

Applicant representative Randy Kopplin with Stone Creek Real Estate Partners, LLC located at 4329 Reeder Drive, Carrollton presented request and was available to answer questions from Council.

In response to questions from Council, Mr. Koppling advised that most of the trees, with the exception of one large one, will remain on the property. He confirmed there are no changes to the design or building.

Mr. Comstock presented staff's report. The zoning was approved by City Council on April 24, 2017. The district provides for the development of an assisted living center, memory care center, single-family residential cottages, and office buildings on the site. The Planning and Zoning Commission, at their August 17, 2017 meeting, recommended approval with a vote of 4-0.

Council had no questions for staff.

A MOTION WAS MADE BY COUNCIL MEMBER WELCH, SECONDED BY COUNCIL MEMBER BENTON TO APPROVE FP 2017-05.

MOTION TO APPROVE CARRIED 7-0.

E. PUBLIC WORKS

There were no items for this category.

F. GENERAL ITEMS

F.1 CONSIDER ORDINANCE NO. 3473, AMENDING CODE OF ORDINANCES CHAPTER 70 TO ADD ARTICLE VIII, SMALL CELL WIRELESS FACILITIES.

Council considered and took action on this item earlier in the meeting.

F.2 CONSIDER ORDINANCE NO. 3474, AMENDING APPENDIX A - FEE SCHEDULE REGARDING SMALL CELL WIRELESS FACILITIES.

Council considered and took action on this item earlier in the meeting.

F.3 CONSIDER RESOLUTION NO. 2017-032, APPOINTING A MEMBER TO THE LIBRARY BOARD.

APPROVED

City Secretary Alicia Richardson informed Council that long-serving Library Board member Avis Crisp tendered her resignation. Council member Benton is recommending that Krina Traywick (recently appointed as alternate) be appointed to Place 5, term expiring June 30, 2019.

A MOTION WAS MADE BY COUNCIL MEMBER BENTON, SECONDED BY COUNCIL MEMBER RODRIGUEZ TO APPROVE RESOLUTION NO. 2017-032, AS DISCUSSED.

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

Mayor Pro Tem Turnage announced no action is necessary as the result of Executive Session.

H. INFORMATION AND REPORTS - COUNCIL MEMBER BENTON

H.1 ANNOUNCEMENTS

Council member Benton made the following announcements.

City Hall and other non-emergency City offices will be closed on Monday, September 4, 2017 in observance of the Labor Day Holiday. The Animal Adoption & Rescue Center, Library, Tennis Center and Senior Center will also be closed. NRH2O, the NRH Centre and Iron Horse Golf Course will be open. Garbage and recycling will not be collected.

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Monday collections will shift to Tuesday and Tuesday collections will be picked up on Wednesday.

The NRH Library is hosting two Behind the Book author events this September. On Thursday, September 7, 2017 author Tess Gerritsen will discuss her latest novel, "I Know a Secret". On Friday, September 15, 2017 author Gretchen Rubin will discuss her latest book "The Four Tendencies," a book about discovering your personality type. Both events begin at 1:00 p.m. and admission is free. Contact the library for more information.

Kudos Korner - Diane Morgan at the Library - A citizen expressed his appreciation for Diane and the extra effort she put in to search for an item he had lost at the library. "This experience has confirmed to me once again that librarians must be the kindest and most helpful people in the world. Thank you," he said.

I. ADJOURNMENT

Mayor Pro Tem Turnage adjourned the meeting at 8:17 p.m.

Scott Turnage, Mayor Pro Tem

Alicia Richardson, City Secretary