

City of Hurst
City Council Minutes
Tuesday, January 27, 2015

On the 27th day of January 2015, at 6:30 p.m., the City Council of the City of Hurst, Texas, convened in Regular Meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Richard Ward	)	Mayor
Nancy Welton	)	Mayor Pro Tem
Larry Kitchens	)	Councilmembers
Anna Holzer)	
Henry Wilson)	
Bill McLendon)	
David Booe)	
Allan Weegar	)	City Manager
John Boyle	)	City Attorney
Jeff Jones	)	Assistant City Manager
Clay Caruthers	)	Assistant City Manager
Ron Haynes	)	Executive Director of Public Works
Rita Frick	)	City Secretary
Michelle Lazo	)	Managing Director of Development
Steve Bowden	)	Executive Director of Development
David Pallas	)	Assistant Fire Chief

With the following Councilmembers absent: none, constituting a quorum; at which time, the following business was transacted:

The meeting was called to order at 6:30 p.m.

Mayor Pro Tem Nancy Welton gave the Invocation.

The Pledge of Allegiance was given.

A presentation of the City of Hurst flag, flown at half-staff in honor of former City Councilmember Ralph Bryan, was presented to his son, Bill Bryan, and family.

PRESENTATION(S) AND ACTION ITEM(S)

1. Community Powered Revitalization Presentation. Managing Director of Development Michelle Lazo reviewed the Community Powered Revitalization program and proposed resolution authorizing expenditures. She explained the City has partnered with 6Stones Mission Network in the Community Powered Revitalization "CPR" program since 2010. 6Stones representative Brian Cramer reviewed the progress of the Community Powered Revitalization program. He stated after the planned 8 homes are completed in the spring, the City of Hurst will have completed 100 homes with 3,532 volunteer hours to date.

City Manager Allan Weegar reviewed the positive leverage of dollars from the City's

Employee Giving Day program with the CPR Program, and noted the new language in the resolution will allow land acquired through a tax sale to potentially be purchased, then given to CPR to build new or renovate structures to revitalize the area.

2. Considered Resolution 1615 continuing support and participation in the Community Powered Revitalization Program and agreeing to expenditures allowed under the Texas Local Government Code Chapter 380 for the promotion of economic development.

Councilmember Welton moved to approve Resolution 1615, supporting the Community Powered Revitalization Program and authorizing the city manager to make payments to 6Stones, as allowed under the Texas Local Government Code Chapter 380, based on projects completed, in an amount not to exceed \$25,000, and a one-time lump sum payment of \$25,000, to support CPR staff. Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

PERSON(S) TO BE HEARD

3. Bill Price, 217 Belmont Street, Hurst, Texas, requested to speak regarding concerns at the Senior Center. Mayor Ward recognized Mr. Bill Price, who expressed his continued concerns with the traffic safety at the Senior Center, and his belief that rumble sticks would improve the situation. Councilmembers noted traffic survey results indicated there is not a speeding problem and Mr. Price might want to consider going before the Senior Citizens Advisory Board to present his idea.

CONSENT AGENDA

4. Considered approval of the minutes for the January 13, 2015 City Council meetings.
5. Considered Ordinance 2279, second reading, SP-14-12, Dairy Queen, a site plan for Lot 2, Block 1, Thousand Oaks South Addition, being 1.10 acres located at 700 Airport Freeway.
6. Considered Resolution 1614 adopting a Clean Fleet policy.

Councilmember Booe moved to approve the consent agenda. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

RESOLUTION(S)

7. Considered Resolution 1611 supporting the enactment of federal legislation that requires the collection of state and local sales tax for Internet or online transactions. Mayor Ward recognized Assistant City Manager Clay Caruthers who stated sales tax is an important component to revenue streams and under current Texas law, Internet retailers are required to collect and remit state and local sales tax if they are "engaged in business" within the state.

He stated that some states do not require the collection of sales taxes and other states have rules that are different than the state of Texas. He explained that large online retailers like Amazon.com support federal legislation that would streamline administrative rules. He explained the fact that not all online retailers are required to collect and remit sales tax is viewed by many as an unfair competitive advantage. He explained consumers essentially receive a discount by shopping online and avoid a sales tax appropriately charged by “brick-and-mortar” retail stores. Also noted was staff estimates the City of Hurst could be losing \$100,000 annually in sales tax earnings. He stated staff recommends the passage of the proposed resolution supporting the enactment of the Marketplace Fairness Act, or similar legislation, requiring Internet or online retailers to collect and remit state and local sales taxes based upon where the consumer resides.

Councilmembers discussed the fairness of protecting the brick and mortar businesses, the in person customer service provided, and the importance of this issue to cities big and small.

Councilmember Kitchens moved to pass Resolution 1611 supporting the enactment of the Marketplace Fairness Act, or similar legislation, requiring Internet or online retailers to collect and remit state and local sales taxes based upon where the consumer resides; and, supporting the City’s future consideration of requests that may be made by the State of Texas to facilitate efforts aimed at passage and implementation of such tax laws. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

8. Considered Resolution 1613 to support funding for the Texas Recreation and Park Account Program. Mayor Ward recognized City Manager Allan Weegar who explained this is a grant program for parkland acquisition and development, and for the development of recreational facilities. He stated that sales tax applied to certain sporting goods is returned to cities for recreational and park purposes. He stated funding was eliminated in the last legislative session and resolutions are being considered by City Councils and Commissions to restore funding the program. He stated the proposed resolution is asking the State Legislature to reimplement the program.

Councilmember McLendon moved to approve Resolution 1613 requesting members of the 84th Legislature of the State of Texas to support legislation that increases funding for the Texas Recreation and Parks Account and Municipality Recreation and Parks Account Local Grant Programs, and the Texas State Park System. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

9. Considered Resolution 1612 calling the City of Hurst May 9, 2015 General Election.

Councilmember Wilson moved to pass Resolution 1612 calling the May 9, 2015 General Election of Officers. Motion seconded by Councilmember Holzer. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton
No: None

RESOLUTION AND RELATED ITEM

10. Considered authorizing the city manager to enter into a Developer Agreement with TCG Hurst investors, L.P., for the development and cost of a traffic signal installation at State Highway 26/Grapevine Highway and Cogent Parkway/Lowe's driveway, 785 Grapevine Highway. Mayor Ward recognized Executive Director of Development Steve Bowden who reviewed the proposed Agreement with TCG Hurst Investors, L.P.. He explained a new traffic signal is proposed at the main entrance drive approach to the addition, Cogent Parkway and State Highway 26/Grapevine Highway and the intersection lines up with the main driveway into Lowe's parking lot. Mr. Bowden explained the previous potential developer of this property escrowed \$237,912.16 toward the installation of the signal. He explained the agreement calls for the use of the escrowed funds to pay for the signal, with any additional cost required to be the developer's responsibility. Mr. Bowden reviewed the development site and details of the proposed agreement.

Councilmember Kitchens moved to authorize the city manager to enter into a Development Agreement with TCG Hurst Investors, L.P., for the development and cost of a traffic signal installation at State Highway 26/Grapevine Highway and Cogent Parkway, 785 Grapevine Highway. Motion seconded by Councilmember Wilson. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton
No: None

11. Considered Resolution 1616 authorizing the city manager to enter into an Advanced Funding Agreement with the Texas Department of Transportation for the installation of a traffic signal at the intersection of State Highway 26/Grapevine Highway and Cogent Parkway/Lowe's driveway, 785 Grapevine Highway. Mayor Ward recognized Executive Director of Public Works Ron Haynes, who stated this item is the Advanced Funding Agreement with TXDOT for the construction of the signal discussed in the previous agenda item. Mr. Haynes reviewed the agreement and signal location noting the signal will be a good safety feature and is definitely warranted. In response to Councilmembers' questions, Mr. Haynes stated that signal lights on Grapevine Highway will be synchronized.

Councilmember Wilson moved to approve Resolution 1616 authorizing the city manager to enter into an Advance Funding Agreement with Texas Department of Transportation for the installation of a traffic signal at the intersection of State Highway 26/Grapevine Highway and Cogent Parkway/Lowe's Driveway at 785 Grapevine Highway. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton
No: None

ACTION ITEM(S)

12. Consider authorizing the city manager to enter into an Engineering Services Contract with Freese and Nichols for a study to determine a means of metering wastewater entering the City of Hurst from the City of Bedford

No action was taken on this item.

13. Considered authorizing the city manager to purchase two LifePak 15 Cardiac Monitors and enter into a service contract. Mayor Ward recognized Assistant Fire Chief David Palla who reviewed the cost and need for the two replacement units and upgrade of four other units with new modems. In response to Councilmembers' questions, Chief Palla stated this type of technology is required by the department's Medical Director and is used on almost every call. He stated the units last approximately 7 to 10 years depending upon technology.

Councilmember Holzer moved to approve the purchase of two LifePak 15 Cardiac Monitors (service contract and modem upgrades) for a total not to exceed \$85,000. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

OTHER BUSINESS

14. City Council reviewed of the following advisory board meeting minutes:
 - Teen Court Advisory Board
15. Review of upcoming calendar items – City Manager Allan Weegar reviewed the following calendar items:
 - Regular City Council meeting – February 10, 2015
 - Town Hall Report to the Community – February 12, 2015
16. City Council Reports – Mayor Ward spoke of a gun incident and the need to take extra care when handling guns. He noted the recent passing of Opal Hokanson who just recently celebrated her 101 birthday.

Councilmember Booe noted he and Councilmember Holzer attended an event at the Senior Center this weekend and saw Elvis. He stated the event was fun and Seniors really liked Elvis.

PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED

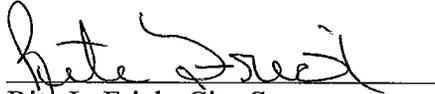
No one spoke.

ADJOURNMENT

The meeting adjourned at 7:40 p.m.

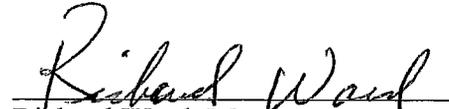
APPROVED this the 10th day of February 2015.

ATTEST:



Rita L. Frick, City Secretary

APPROVED:



Richard Ward, Mayor