

**City of Hurst
City Council Minutes
Tuesday, February 24, 2015**

On the 24th day of February 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
Allan Heindel	)	Deputy City Manager
Jeff Jones	)	Assistant City Manager
Clay Caruthers	)	Assistant City Manager
Rita Frick	)	City Secretary
Michelle Lazo	)	Managing Director of Development
Steve Bowden	)	Executive Director of Development
Malaika Farmer	)	Managing Director of Community Services
Ron Haynes	)	Executive Director of Public Works
Greg Dickens	)	City Engineer

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.

Councilmember Booe gave the Invocation.

The Pledge of Allegiance was given.

PRESENTATION(S)

1. Presentation of the Certificate of Achievement for Excellence in Financial Reporting, Fiscal Year 2012-2013. Mayor Ward recognized Assistant City Manager Clay Caruthers who introduced City Controller Kayleen Puiszis, who reviewed the criteria for receiving the Certificate of Achievement. The Certificate of Achievement for Excellence in Financial Reporting is the highest form of recognition in governmental accounting and financial reports. The Government Finance Officers Association states that conformance to the program's standards represents "a significant accomplishment by the City and management."
2. Presentation of Comprehensive Annual Financial Report (CAFR) by Rylander, Clay & Opitz, L.L.C. (RC&O). Mayor Ward recognized Linda Low with Rylander, Clay & Opitz.

Ms. Low presented Fiscal Year 2014 Financials, reviewed assets, obligations and operating expenses, noting they gave an unmodified opinion, which is the highest to be given on financial reporting. Ms. Low stated that everything was in good shape for the City this year and praised the City for receiving the Certificate of Achievement for Excellence in Financial Reporting. Assistant City Manager Clay Caruthers noted the City Council Finance Committee, Councilmembers Henry Wilson, Larry Kitchens, and Nancy Welton, met previously to review the audit.

Councilmember Wilson moved to accept the audited Annual Financial Report for fiscal year ended September 30, 2014. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

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

No: None

PERSON(S) TO BE HEARD

3. Mr. Bill Price, 217 Belmont Street, Hurst, Texas, requested to speak regarding speeder at Senior Center. Mr. Price requested to be moved to the March 24, 2015 agenda.

CONSENT AGENDA

4. Considered approval of the minutes for the February 10, 2015 City Council meetings.
5. Considered Ordinance 2280, second reading, SP-14-13, Pinnacle Emergency Room (ER), a site plan revision for Lot 1RB, Block 1R, University Plaza Addition, being 1.67 acres located at 824 Airport Freeway.
6. Considered Ordinance 2281, second reading, SP-15-03, Heritage Village Residences, a site plan revision, for signage only, on Lot 1R1, Block 1, Heritage Village Addition, being 1.03 acres located at 705 Heritage Way.
7. Considered authorizing the purchase of computer replacement equipment through approved purchasing contracts.
8. Considered authorizing the city manager to enter into a purchase agreement with Motorola Solutions to purchase portable radios for the Police and Public Works Departments.
9. Considered authorizing the city manager to enter into the 2015 Facilities Utilization Agreements with the Hurst United Soccer Association, Tri-Cities Baseball Association, the Airport Area YMCA, and the Hurst Umpires Association.

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

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

No: None

PUBLIC HEARING(S) AND RELATED ITEM(S)

10. Conducted a Public Hearing to consider SP-15-02, Taco Casa, a site plan approval on Lot 3R, Block 1 Pipeline Plaza Addition, being .98 acres located at 1101 W. Pipeline Road. Mayor Ward announced the public hearing to consider SP-15-02, Taco Casa, a site plan approval on Lot 3R, Block 1 Pipeline Plaza Addition, being .98 acres located at 1101 W. Pipeline Road and recognized Jim Dewey, JDJR Engineering, 25 Texas Drive, Irving, Texas, who reviewed the proposed site plan. He noted the request by the Planning and Zoning Commission to orient the drive through speakers to face south and to have an 8 foot masonry screening wall on the residential side. Mr. Dewey explained that, unfortunately, they discovered a private sewer line is running along the property line for the homes next door; therefore, they plan to demo the screening wall and construct a masonry wall. He explained this will effectively be an 8 foot screening wall. Mr. Dewey stated they respectfully request the 6 foot fence instead of the 8 foot fence recommended by the Planning and Zoning Commission.

Managing Director of Development Michelle Lazo reviewed the site plan showing property access, dual drive through lanes, slope between the properties, elevations, materials and signage for the project.

Mayor Ward recognized Scott Oxford, Owner of Royal Estates, located next to the proposed site, who spoke in support of the 6' fence and stated they look forward to a new neighbor.

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

11. Considered Ordinance 2282, first reading, SP-15-02, Taco Casa, a site plan approval on Lot 3R, Block 1 Pipeline Plaza Addition, being .98 acre located at 1101 W. Pipeline Road.

Councilmember Wilson moved to approve SP-15-02, Taco Casa, a site plan approval on Lot 3R, block 1 Pipeline Plaza Addition, being .98 acre located at 1101 W. Pipeline Road with the menu boards moved to face south. Motion seconded by Councilmember McLendon. Councilmember Kitchens questioned if the motion included the fence being 8' in height. Councilmember Wilson stated he did not include that in his motion. Motion prevailed by the following vote:

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

No: None

Councilmember Wilson moved to approve Ordinance 2282 on first reading. Motion seconded by Councilmember Holzer. Motion prevailed by the following vote:

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

No: None

RESOLUTION(S)

12. Considered Resolution 1617 supporting application for a Crime Victim Liaison Grant to the Office of the Governor, Criminal Justice Division, for the cities of Hurst, Euless and Bedford, to operate a Combined Crime Victims Assistance Coordinator. Mayor Ward

recognized Assistant Police Chief Steve Niekamp who reviewed the proposed grant application and responsibilities of the Crime Victims Assistance Coordinator. He stated \$61,730 grant funds were available for Fiscal Year 2015-2016, and any associated costs not covered by the grant will be split equally between the cities of Hurst, Euless and Bedford. In response to Councilmembers' questions, Chief Niekamp stated Hurst handles the grant and oversees the program.

Councilmember McLendon moved to authorize the Police Department to apply to the Office of the Governor, Criminal Justice Division for the continuation grant with the cities of Euless and Bedford, for operational cost of a Crime Victims Coordinator position. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

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

No: None

13. Considered Resolution 1618 authorizing the Police Department to apply for the continuation grant with the cities of Bedford and Euless to operate the Combined Mental Health Coordinator position. Mayor Ward recognized Assistant Police Chief Steve Niekamp who reviewed the proposed grant application noting the awards and success Hurst has with this program. He explained that an additional \$80,000 in grant funding is available for Fiscal Year 2015-2016, and associated costs not covered by the grant will be split equally between the cities of Hurst, Euless, and Bedford. In response to Councilmembers' questions, Chief Niekamp stated the department is notified in several ways of individuals needing service.

Councilmember Booe moved to approve Resolution 1618 authorizing the Police Department to apply to the Office of the Governor, Criminal Justice Division, for the continuation of grant with the cities of Euless and Bedford, for operational cost of a Mental Health Coordinator. Motion seconded by Councilmember McLendon or Wilson. Motion prevailed by the following vote:

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

No: None

ACTION ITEM(S)

14. Considered approval of Aquatics Fees for Chisholm Aquatics Center. Mayor Ward recognized Deputy City Manager Allan Heindel who reviewed the proposed resident, non-resident and rental fees for the new Chisholm Aquatics Center. He explained 14 cities were surveyed and City of Hurst trends over the past 30 years were reviewed and presented to the Parks and Recreation Board in February. Mr. Heindel stated that the Parks and Recreation Board recommended approval of the proposed admission and rental fees for the Chisholm Aquatics Center.

In response to Councilmembers' questions, Mr. Heindel stated the pavilion fees were only at Chisholm and the private rentals usually reach capacity.

Councilmember McLendon moved to approve the proposed admission and rental fees for the Chisholm Aquatics Center. Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

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

15. Considered authorizing the city manager to proceed with Phase I of the Parker Cemetery Improvements Project. Mayor Ward recognized Malaika Farmer who reviewed the Parker Cemetery Improvements Project noting tonight's request was for Phase I, in the amount of \$65,000. Ms. Farmer reviewed the list of approved contractors and stated the Historical Landmark Committee recommended approval. Councilmember Kitchens stated, as a member of the Historical Landmark Committee, he believed the cemetery has a special place in the community. He reviewed the association with the Parker family and their history as County's first settlement. Also noted was the improvement to the entrance into Hurst along Highway 10.

Councilmembers discussed possible funding participation from the County and any relatives of the Parker family.

Councilmember Kitchens moved to authorize the city manager to proceed with Phase I of the Parker Cemetery Improvements Project, for an amount not to exceed \$65,000, with funding from the Special Projects Fund. Motion seconded by Councilmember Holzer. Motion prevailed by the following vote:

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

16. Considered authorizing the city manager to enter into a contract for the Chisholm Park Dam Emergency Spillway Improvements Project. Mayor Ward recognized City Engineer Greg Dickens, who reviewed the proposed project noting this is a Texas Commission on Environmental Quality (TCEQ) state mandated project to insure the dam emergency spillway will meet state requirements. Mr. Dickens reviewed the bids noting the bid from Klutz Construction, LLC, for \$92,810 is the low bid. In response to Councilmembers' questions, Mr. Dickens explained the soil cement material and grass sod overlay to be used for the project.

Councilmember Welton moved to authorize the city manager to enter into a contract with Klutz Construction, LLC of Kennedale, Texas, for the Chisholm Park Dam Emergency Spillway Improvements Project, in the amount of \$92,810.00, with a 10% contingency of \$9,300 for a total of \$102,110.00, and a contract time of 75 calendar days or by May 23, 2015, whichever occurs first. Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

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

OTHER BUSINESS

17. Councilmembers reviewed of the following advisory board meeting minutes:
- Parks and Recreation Board
 - Library Board

- Hurst Senior Citizens Advisory Board
- Planning and Zoning Commission

18. Review of upcoming calendar items – City Manager Allan Weegar noted the March 10, 2015 City Council meeting is cancelled due to the National League of Cities Conference. Also noted was the negative impact of a recent revenue cap bill filed, and from staff's perspective, detrimental to cities. Councilmembers noted bills filed during this Legislative Session and the potential negative impact for cities.
19. City Council Reports - None

Councilmember Booe commended Assistant City Manager Clay Caruthers and his staff for their achievement in the financial area.

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

Mayor Ward recessed the meeting at 7:57 p.m. to Executive Session in compliance with the provisions of the Texas Open Meetings Law, Authorized by Government Code, 551.087 deliberation and conducting of economic development negotiations regarding financial information relative to prospective business expansion in the City and reconvened to Open Session at 8:07 p.m.

20. Take any and all action necessary ensuing from Executive Session.

Councilmember Kitchens moved to approve a 120-day extension relating to Section 5.7 entitled "Financing" and Section 5.10 entitled "inspection period" of the Purchase and Sale Agreement dated August 26, 2014, between the City of Hurst, Texas, and C N Churchill, IV L.L.C., for the northernmost 1.1112 acre tract of Lot 4-R-1, Block 4R, University Plaza Addition, of the City of Hurst, Texas. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

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

ADJOURNMENT

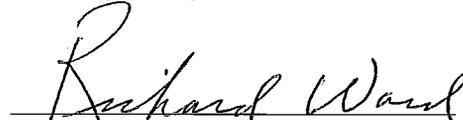
The meeting adjourned at 8:10 p.m.

APPROVED this the 24th day of March 2015.

ATTEST:


Rita L. Frick, City Secretary

APPROVED:


Richard Ward, Mayor