

**City Council Minutes**  
**Tuesday, June 27, 2023**

On the 27<sup>th</sup> day of June 2023, at 6:30 p.m., the City Council of the City of Hurst, Texas, convened in a regular meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Henry Wilson	)	Mayor
Gary N. Waldron	)	Mayor Pro Tem
Jon McKenzie	)	Councilmembers
Cathy Brotherton	)	
Cindy Shepard	)	
John Miller	)	
Jimmy Meeks	)	
Clay Caruthers	)	City Manager
Sam Hawk	)	City Attorney
Malaika Marion Farmer	)	Assistant City Manager
Rita Frick	)	City Secretary
Michelle Lazo	)	Executive Director of Planning and Development
Kyle Gordon	)	Executive Director of Community Services
Brent Craft	)	Fire Chief
Kristi Weaver	)	Assistant Director of Community Services
Duane Hengst	)	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. and the Pledge of Allegiance and Texas Pledge was given.

Councilmember Cathy Brotherton gave the Invocation.

**PROCLAMATION(S)**

1. Proclamation recognizing Amateur Radio Operators – Councilmember Jimmy Meeks read and presented the proclamation recognizing Amateur Radio Operators to the President of the Hurst Amateur Radio Club who reviewed their recent successful Field Day Operations. Fire Chief Brent Craft and Mayor Wilson expressed appreciation for the assistance provided by the operators.
2. Proclamation recognizing Parks and Recreation Week – Councilmember Cathy Brotherton read and presented the proclamation recognizing Parks and Recreation Week to Assistant Director of Community Services Kristie Weaver and her team. Ms. Weaver provided an overview of activities planned for the week and expressed appreciation for her team. Mayor Wilson expressed appreciation for the great job provided by the employees.

**CONSENT AGENDA**

3. Consider approval of the minutes for the June 13 and June 15, 2023 City Council meetings
4. Consider Ordinance 2540, second reading, amending Chapter 26 of the Hurst Code of Ordinances regarding the assessment of certain fees for water utility accounts

Mayor Pro Tem Waldron moved to approve the consent agenda. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

Ayes: Councilmembers McKenzie, Brotherton, Waldron, Shepard, Miller and Meeks  
No: None

**PUBLIC HEARING(S) AND RELATED ITEM(S)**

5. Conduct a public hearing and consider Ordinance 2542, first reading, SITE-2023-00007 Hurst Liquor and Cigar, a Special Use Permit for Packaged Alcohol Sales on a portion of Lot 2, Block 3, Woodbridge Plaza Addition, being 2.81 acres located at 420 Grapevine Highway

Mayor Wilson announced the public hearing to consider Ordinance 2542, first reading, SITE-2023-00007 Hurst Liquor and Cigar, a Special Use Permit for Packaged Alcohol and recognized Executive Director of Planning and Development Michelle Lazo who reviewed the proposed case noting the request is for a 3,000 square feet liquor and cigar store. She stated the zoning requirements have been met, will follow state law regarding operating hours and the City security requirements. Ms. Lazo stated the shopping center owner Jeff Brand is available for questions.

Mayor Wilson recognized the following individual who spoke in favor of the request: Jeff Brand, 5720 LBJ Freeway, Dallas, Texas, owner of the shopping center, stated he is present to answer any questions and is in favor of the request.

Mayor Wilson recognized the following individuals: Thomas Bingham, 737 Highland Crest Drive, Hurst, and Stephanie Barfknecht, 700 Bear Creek Drive, Hurst, owner of Primrose School, 500 Mid Cities Boulevard, Hurst, who spoke against the proposed case expressing concerns regarding the proximity to her business across the street; including vulnerability of children and negative impact to children; safety concerns including potential loitering and public intoxication; timing of meeting notification, desire for stricter distance requirements than state guidelines; additional safety measures; and request to add Chapter 22 to Section 109.33 of state alcohol codes to extend distance requirement to 1,000 feet for on and off premise liquor sales.

Mayor Wilson noted the petition provided by Ms. Stephanie Barfknecht appears most signatures are from parents and approximately 67% are not Hurst citizens.

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

In response to Councilmember questions, Mr. Brand stated the stores front faces Grapevine Highway and no signage will face the school or customer access from the rear of the building on Mid Cities Boulevard. He provided information regarding the other shopping center

tenants and stated he is working hard to lease space in the shopping center and make it an asset to the community.

Councilmember Miller moved to approve Ordinance 2542, first reading, a Special Use Permit for Hurst Liquor and Cigar. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

Ayes: Councilmembers Brotherton, Waldron, Shepard and Miller

No: Councilmembers McKenzie and Meeks

6. Conduct a public hearing and consider Ordinance 2543, first reading, Z-2023-00001 Hurst Boulevard Townhomes, a zoning change with a concept plan from GB-PD to R2-PD for Lot 11, Block 13 Billy Creek Estates, being 3.2 acres located at 920 West Hurst Boulevard **(The applicant has requested this item be withdrawn)**

Mayor Wilson noted the applicant requested this item be withdrawn.

Councilmember Miller moved to accept the withdrawal. Motion seconded by Councilmember McKenzie. Motion prevailed by the following vote:

Ayes: Councilmembers McKenzie, Brotherton, Waldron, Shepard, Miller and Meeks

No: None

#### **PLAT(S)**

7. Consider P-2023-00003 Adkins Park Addition a final plat of Tract 2 Isaac Carodine Survey, A-356 to Lots 1-14, Block A and 1-66, Block B, Adkins Park Addition, being 31.67 acres located at 7628 Precinct Line Road

Mayor Wilson recognized John Pitstick, Beaten Path Development, 700 W. Harwood Road representing the developer, who stated he is happy to answer questions regarding the plat. Mr. Pitstick noted the development will have 75 lots and a 10-acre reserve area. In response to Councilmember questions, Shannon Hayes, Baird Hampton and Brown, stated the plat shows lots that are currently in the flood plain, but will not be once developed.

Councilmember Miller moved to approve Adkins Park Addition, a final plat, being 31.67 acres located at 7628 Precinct Line Road. Motion seconded by Councilmember Waldron. Motion prevailed by the following vote:

Ayes: Councilmembers McKenzie, Brotherton, Waldron, Shepard, Miller and Meeks

No: None

#### **ORDINANCE(S)**

8. Consider Ordinance 2541, first reading, amending Chapter 24 by adding to Section 24-127, prohibiting parking in certain areas

City Engineer Duane Hengst reviewed the proposed ordinance to include the first 175 feet north along the east side of Hurstview Drive from the Mid-Cities Boulevard intersection. He stated this will provide room for vehicles to maneuver on the north side of the intersection without causing traffic congestion.

Councilmember Waldron moved to approve Ordinance 2541, first reading, amending Chapter 24, by adding a sentence to Section 24-127; prohibiting parking in a certain area on Hurstview Drive near Mid-Cities Boulevard. Motion seconded by Councilmember Miller. Motion prevailed by the following vote:

Ayes: Councilmembers McKenzie, Brotherton, Waldron, Shepard, Miller and Meeks  
No: None

### **OTHER BUSINESS**

9. Consider authorizing the city manager to enter into a Contract with Excel 4 Construction, LLC for the 2022 Miscellaneous Sanitary Sewer Replacement Project

City Engineer Duane Hengst review the proposed contract noting this is part of the regular upgrade of sanitary sewer maintenance. One bid was received from Excel 4 Construction, LLC, which have provided good service on other work performed for the City. City Manager Caruthers noted even though only one bid was received, in today's construction environment, staff is not surprised and is recommending moving forward. He stated staff is also requesting the \$1.5 million to allow for an adequate contingency.

Councilmember Meeks moved to authorize the city manager to enter into a Contract with Excel 4 Construction, LLC, for 2022 Miscellaneous Sanitary Sewer Replacement Project, in the amount of \$1,403,350.00, with a contingency of \$96,650.00, for a total amount of \$1,500,000.00 and a construction contract duration of 330 calendar days. Motion seconded by Councilmember Miller. Motion prevailed by the following vote:

Ayes: Councilmembers McKenzie, Brotherton, Waldron, Shepard, Miller and Meeks  
No: None

10. Consider authorizing the city manager to enter into an Engineering Services Contract Amendment 2 with Burgess & Niple, Inc. for 2022 Miscellaneous Sanitary Sewer Replacement Project

City Engineer Duane Hengst reviewed the proposed amendment for the 2022 Miscellaneous Sanitary Sewer Contract noting the Texas Department of Transportation is requiring a full replacement for the Grapevine Highway 12-inch sanitary sewer replacement crossing State Highway 26 near the Tarrant County Northeast Courthouse instead of the planned boring method.

Councilmember Shepard moved to authorize the city manager to enter into an Engineering Services Contract Amendment 2 with Burgess & Niple, Inc., for the 2022 Miscellaneous Sanitary Sewer Replacement Project. Motion seconded by Councilmember Brotherton. Motion prevailed by the following vote:

Ayes: Councilmembers McKenzie, Brotherton, Waldron, Shepard, Miller and Meeks  
No: None

11. Consider appointments to Boards, Commissions and Committees

Councilmember Miller moved to reappoint members whose terms are expiring and wished to be reappointed and to appoint the following individuals as follows: Animal Control, Hannah Schneider, Place 4; Codes, Appeals and Advisory Board – Bob Centracco, Alternate Place 1 and Arnceli Sleinsky, Alternate Place 2; Economic Development Advisory Committee – Shane Litts, Place 6 and Michael Mella, Place 9; Library Board – Michael Budd, Place 3; Neighborhood and Community Advisory Committee – Carolyn Hurd, Place 3, and Zoning Board of Adjustment – Allan Heindel, Place 1 and John Mitchell, Place 4.

Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

Ayes: Councilmembers McKenzie, Brotherton, Waldron, Shepard, Miller and Meeks  
No: None

12. Review of upcoming calendar items – City Manager Clay Caruthers reviewed the Future Events Calendar.

13. City Council Reports - Items of Community Interest – No items were reported.


**PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED. CITIZEN COMMENTS ARE LIMITED TO A MAXIMUM OF 3 MINUTES PER SPEAKER**

Mayor Wilson recognized Stephanie Barfknecht, 700 Bear Creek Drive, Hurst, Texas who expressed additional comments and concerns regarding Agenda Item 5.

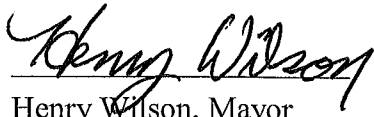
**ADJOURNMENT** – The meeting adjourned at 7:21 p.m.

**APPROVED** this the 11<sup>th</sup> day of July 2023.

**ATTEST:**

  
Rita Frick, City Secretary

**APPROVED:**

  
Henry Wilson, Mayor