

City Council Minutes
Tuesday, September 26, 2023

On the 26th day of September 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
Cathy Brotherton)	Councilmembers
Jon McKenzie)	
John Miller)	
Jimmy Meeks)	
Clay Caruthers)	City Manager
Matthew Boyle)	City Attorney
Malaika Marion Farmer)	Assistant City Manager
Rita Frick)	City Secretary
Michelle Lazo)	Executive Director of Planning and Development
Steve Niekamp)	Police Chief

With the following Councilmembers absent: Cindy Shepard, constituting a quorum; at which time, the following business was transacted:

The meeting was called to order at 6:30 p.m. and Councilmember Jimmy Meeks gave the Invocation.

The Pledge of Allegiance and Texas Pledge were given.

PRESENTATION(S) AND PROCLAMATION(S)

1. Presentation of flag flown at half-staff in recognition of Gerald Grieser

Mayor Wilson presented the flag flown at half-staff, in honor of former board member Gerald Grieser to his wife and family. Mayor Wilson expressed his appreciation for Gerald's service to the City while serving on the Hurst Senior Citizens Advisory Board and numerous other volunteer efforts in the community. Mrs. Grieser thanked the Council and expressed Gerald's love for the city, City Council and staff.

2. Proclamation recognizing Hurst-Eules-Bedford Independent School District Council of Parent Teachers Association's 50th Anniversary

Councilmember Jon McKenzie read and presented the Proclamation recognizing the Hurst-Eules-Bedford Independent School District Council of Parent Teachers Association's 50th Anniversary to PTA President Heather Peery and HEB ISD Associate Superintendent over Elementary Education Darla Clark. Ms. Peery thanked the Council and provided an overview of their efforts to encourage participation in the association.

PERSON(S) TO BE HEARD

3. Mr. Greg Garza requested to speak to request protection and safeguards for pedestrians from fast moving sport cyclists at Hurst Community Park (Continued from September 12, 2023 Council meeting)

Mayor Wilson recognized Mr. Greg Garza who expressed his concerns regarding area park regulations regarding bicycles, types of bicycles, park patron safety, utilization of signage and responsibility to establish park policies. Mr. Garza provided a brief presentation illustrating different types of parks, park trails, bicycles and park activities expressing his desire for park patron safety. Mayor Wilson advised the City Manager will take this information under review.

CONSENT AGENDA

4. Consider approval of the minutes for the September 12, 2023 City Council meeting
5. Consider authorizing the city manager to enter into a contract with the Tarrant County Health Department
6. Consider authorizing the city manager to enter into a ten-year contract agreement with Stryker for the replacement and purchase of emergency medical response equipment

Mayor Pro Tem Waldron moved to approve the Consent Agenda. Motion seconded by Councilmember Miller. Motion prevailed by the following vote:

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

No: None

PUBLIC HEARING(S) AND RELATED ITEM(S)

7. Conduct a public hearing and consider Ordinance 2549, first reading, Z-2023-00002 Events In Your Budget, a zoning change from GB to GB-PD with a site plan for Tract 12 A1 William Wallace Survey, A 1607, being .38 acre located at 1305 Yates Drive (Continued from September 12, 2023 Council meeting)

Mayor Wilson noted he is requesting a table for Agenda Item 7 and related Agenda Item 9 due to a requirement for five councilmember votes to pass. He stated, unfortunately, Councilmember Shepard's husband is not doing well and another Councilmember has to recuse themselves from these items.

As stated by City Attorney Matthew Boyle, Councilmember Miller moved to continue Agenda Items 7 and 9, including the public hearing, to the November 14 City Council meeting at 6:30 p.m. Motion seconded by Councilmember Brotherton. Motion prevailed by

the following vote:

Ayes: Councilmembers Brotherton, Waldron, Miller, and Meeks

No: None

Abstention: Councilmember McKenzie

8. Conduct a public hearing and consider Ordinance 2550, first reading, SP-2023-00008 (Rosa's Tortilla Factory) a site plan revision for Lot 3A, Block 1, Lowes Addition, being 1.6 acres located at 2200 Precinct Line Road

Mayor Wilson announced the public hearing to consider Ordinance 2550, first reading, SP-2023-00008 (Rosa's Tortilla Factory) a site plan revision for Lot 3A, Block 1, Lowes Addition, being 1.6 acres located at 2200 Precinct Line Road and recognized Executive Director of Planning and Development Michelle Lazo who reviewed the proposed site plan revision. Ms. Lazo noted the developer is requesting the revision in order to remodel the parking area to add an additional access point on the east side of the property for the drive-thru. She noted the queue will add 5 cars for stacking before the merge and they hope this will alleviate congestion, primarily on Taco Tuesdays. Ms. Lazo also noted an updated landscape plan.

Mayor Wilson recognized Ken Taft, 4056 Shore Front Drive, Fort Worth, Texas, representing Rosa's Café who expressed support for the site plan revision and that he would be happy to answer any questions.

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

In response to Councilmember questions, Mr. Taft stated the south edge of the new lane would not match with the north edge of Raising Canes and they are a little off-set. He stated they reviewed the balance of congestion and believe the plan is to relieve the traffic back up on Precinct Line Road. Mr. Taft stated he knows the traffic backs up on Tuesday on Precinct Line Road, and they will have signs asking patrons to be kind when merging and will do what needs to be done to usher traffic.

Councilmember McKenzie moved to approve Ordinance 2550, a Site Plan Revision for Rosa's Tortilla Factory. Motion seconded by Councilmember Waldron. Motion prevailed by the following vote:

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

No: None

PLAT(S)

9. Consider P-2023-00004 Chowdhry At Yates Addition, a final plat of Tract 12A1, William Wallace Survey A-1607 to Lot 1, Block 1 Chowdhry At Yates, being .36 acre located at 1305 Yates Drive (Continued from September 12, 2023 Council meeting)

10. Consider P-2023-00005 McDaniel Addition, a replat of Lots A & B McDaniel Addition and Lot 11 Bellvue Addition to Lots A-R and B-R McDaniel Addition, being 2.77 acres located at 105 E. Pecan Street (Continued from September 12, 2023 Council meeting)

Mayor Wilson recognized Executive Director of Planning and Development Michelle Lazo who reviewed the proposed plat requested by Brown Trail Gospel Church. She stated the church owns the tract and uses the existing home as a parsonage. They are requesting the replat in order to increase the size of the residential lot located on 105 E. Pecan Street and plan to sell the remaining vacant land facing Oak Drive. She noted the flood plain area and that a flood permit would be necessary to build. In response to Councilmembers questions, Ms. Lazo stated there is enough land to build on the vacant lot.

Councilmember Miller moved to approve P-2023-00005, a replat of Lots A-R and B-R McDaniel Addition. Motion seconded by Councilmember Meeks. Motion prevailed by the following vote:

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

RESOLUTION(S)

11. Consider Resolution 1843 approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2023 rate review mechanism filing (Continued from September 12, 2023 Council meeting)

Mayor Wilson recognized City Manager Clay Caruthers who reviewed the proposed resolution and noted this is part of the annual process which allows negotiation of the original filed rate request by Atmos. He stated as a result of these processes, ACSC’s Executive Committee agreed to settle the case at \$142 million, and the average increase to residential customers is about \$6.00 per month and \$24.00 per month for commercial customers. Mr. Caruthers noted some infrastructure needs related to storm Uri and that Council has probably noticed Atmos continues to update/upgrade the area. He stated Atmos Representative Devon Sweeney is in attendance this evening for any questions.

Councilmember Brotherton moved to adopt Resolution 1843 approving the negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division. Motion seconded by Councilmember Miller. Motion prevailed by the following vote:

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

OTHER BUSINESS

12. Consider appointments to Boards, Commissions and Committees

Councilmember Brotherton moved to appoint Sadhu Shori to Parks and Recreation Board, Place 1, term expiring 2024. Motion seconded by Councilmember Meeks. Motion prevailed by the following vote:

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

No: None

13. Board, Commission, and Committee Minutes – Council reviewed the following minutes:
- Planning and Zoning
 - Hurst Community Arts and Historic Landmark Preservation Committee
14. Review of upcoming calendar items – City Manager Clay Caruthers reviewed the Future Events Calendar also noting the Fire Open House, Saturday, September 30, 10:00 a.m. and the Hurst Fest, Saturday, September 30, 3:00 – 8:00 p.m. at Heritage Village.
15. City Council Reports - Items of Community Interest

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 Mr. Gary Losada, 802 Dove Creek Trail, Southlake, Texas noting the Council could not enter into discussion under public invited to be heard. Mr. Losada stated he has served on the Tarrant Appraisal Board of Directors and that it is the season for nomination for the Board of Directors. Mr. Losada provided information regarding his experience and qualifications to serve on the TAD Board of Directors and requested Council's consideration for his appointment. He also noted Vince Puente and Rich DeOtte.

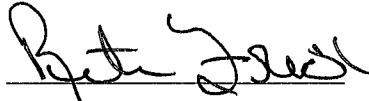
EXECUTIVE SESSION in Compliance with the Provisions of the Texas Open Meetings Law, Authorized by Government Code, 551.072, deliberation of the purchase, exchange, lease, or value of real property (economic development/redevelopment) and to reconvene in Open Session at the Conclusion of the Executive Session to consider and take any necessary action. Mayor Wilson did not recess to Executive Session.

16. Take any and all action necessary ensuing from Executive Session – No action was taken.

ADJOURNMENT – The meeting adjourned at 7:17 p.m.

APPROVED this the 10th day of October 2023.

ATTEST:



Rita Frick, City Secretary

APPROVED:



Henry Wilson, Mayor