

City Council Minutes
Tuesday, November 14, 2023

On the 14th day of November 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
Cindy Shepard)	
Jon McKenzie)	
John Miller)	
Jimmy Meeks)	
Clay Caruthers	)	City Manager
Matthew Boyle	)	City Attorney
Malaika Marion Farmer	)	Assistant City Manager
Clayton Fulton	)	Assistant City Manager
Rita Frick	)	City Secretary
Michelle Lazo	)	Executive Director of Planning and Development
Steve Bowden	)	Executive Director of Economic Development
Greg Dickens	)	Executive Director of Public Works
Stephanie Jenkins	)	Executive Director of Human Resources
Kyle Gordon	)	Executive Director of Community Services
Steven Nickamp	)	Police Chief
Billy Keadle	)	Assistant Police 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. and Councilmember Cindy Shepard 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 Roger Marsh.

Mayor Wilson presented the flag flown at half-staff to Roger Marsh's son, Dale Marsh. Mayor Wilson expressed gratitude for Roger Marsh's service to the City of Hurst.

CONSENT AGENDA

2. Consider approval of the minutes for the October 24, 2023 City Council meetings
3. Consider Ordinance 2551, second reading, SITE-2023-00011 Katie's Car Wash, a site plan on Tract 5B2A and 5B8 Hamilton Bennett Survey A-138, being .79 acre located at 1665 W. Hurst Boulevard
4. Consider Ordinance 2552, second reading, SITE-2023-00013, Moritz Kia, a site plan revision on Lot 1A, Block 1 Moritz Kia Addition, being 10.57 acres located at 110 NE Loop 820
5. Consider Resolution 1846 supporting application for Combined Cities Crime Victims Coordinator Grant to the Office of the Governor for the Cities of Hurst, Euless, and Bedford
6. Consider Resolution 1847 supporting application for the NETCAST Rifle-Resistant Body Armor Grant to the Office of the Governor
7. Consider Resolution 1848 supporting application for the Enhanced Crime Scene Camera Kits Grant to the Office of the Governor
8. Consider authorizing the Mayor to enter into an Interlocal Agreement with Tarrant County for street right-of-way acquisition on West Pipeline Road, Phase 4 from Harrison Lane to Brown Trail
9. Consider authorizing the Mayor to renew an Interlocal Agreement with Tarrant County for funding of the Brown Trail Street Reconstruction Project from Queens Way to North City Limits

Councilmember Waldron moved to approve the consent agenda. Motion seconded by Councilmember Miller. Motion prevailed by the following vote:

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

No: None

PUBLIC HEARING(S) AND RELATED ITEM(S)

10. 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 26, 2023 Council meeting)

Councilmember McKenzie noted a conflict of interest and recused himself from the meeting.

Mayor Wilson announced the public hearing to 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

and recognized Executive Director of Planning and Zoning Michelle Lazo who reviewed the proposed case, noting the applicant is making the request for GB-PD due to the lot not meeting the minimum width requirement. She stated the business is basically party planning and the house will be used as an office, they will close the existing driveway and move to the south, and build a 3,000 square foot metal storage building on the rear of the property. Ms. Lazo stated they are adding a lot of landscaping and irrigation and that they are not required to screen due to another lot between them and the neighbors. She stated they will add trees to blend with the neighbors. Ms. Lazo reviewed the elevations of the existing home and proposed elevation of the structure to store supplies. City Manager Caruthers noted this item did go before the Zoning Commission and by a 3 – 2 vote recommended approval.

Mayor Wilson recognized applicant Javed Chowdhry, 4107 Lincoln Drive, Colleyville, who stated the importance of this item as it impacts their livelihood. He reviewed the numerous years they have lived in the area and explained their business specializes in wedding décor and services. He expressed the traffic levels will remain the same, they do not have walk in customers and they meet by appointment only one or two times a day. They do not have late night work and traffic is less than a single family.

Mayor Wilson recognized the following individuals who expressed support for this item and expressing the business will not disrupt the neighborhood; details regarding business operations; noting the property was purchased because it was zoned GB over 40 years ago; data suggests property values are just going up; existing steel sheds are in several of the residential lots; numerous enhancements to the site improving curb appeal and meeting city requirements; and the property was purchased due to the zoning of General Business: Ruby Chowdhry, Amer Chowdry, and Civil Engineer Correen C. Robertson, 4532 Lodestone Lane

Mayor Wilson recognized the following individuals who spoke against the case expressing concerns regarding existing available retail space in Hurst; Hurst facing a housing shortage; the house has been residential use for last 65 years; there are no primary businesses facing Yates or with monument signs; why signage is necessary if no walk-ins; impact of drainage and lack of impact study; zoning was intended for large developments and large open space; will ruin current neighborhood; opens idea for other stores and brings in people from around community; it will take away from their property; do not want change; warehouse will be an eyesore; additional trash; should look at current zoning and lots and take care of it now that it is a residential street; petition that was signed from Yates and surrounding properties; property being negatively impacted; values impacted; monument sign next to residential property; should look at zoning back to residential: Janie McKenzie, 1324 Yates Drive; Anthony Cirrincione, 1325 Yates Drive; Steven Linan, 1309 Yates Drive; Ezekiel Linan, 1309 Yates Drive; Mary S. Brown, 1329 Yates Drive; Kenneth Brown, 1329 Yates Drive; Josh Linan, 1309 Yates Drive; Jane Boyd, 1335 Yates Drive; Lisa Baxley, 1320 Yates Drive and Sean Lee, 1307 Yates (through letter read by Lisa Baxley)

The following individuals presented speaker cards against the proposed case but did not speak: Billy Field, 1321 Yates Drive; Steward McKenzie, 1328 Yates Drive; Deanne Harvey, 1327 Yates Drive; Jeff Hutchison, 1310 Yates Drive; Lisa Hutchison, 1310 Yates Drive; Janet Dickerson, 1317 Yates Drive; Joe Dickerson, 1317 Yates Drive; John Upton,

1313 Yates Drive; and Marie Upton, 1316 Yates Drive

Councilmember Miller moved to approve Ordinance 2549, first reading, a zoning change with a site plan for Events in Your Budget with the following provisions: Hours of operation 7:30 a.m. – 8:30 p.m.; no onsite events on premise; the GB-PD is restricted to this applicant and this business; and to include the fence be brought out to provide more visible barrier for the rest of the neighbors. Motion failed for lack of second, application is denied.

PLAT(S)

11. 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 26, 2023 Council meeting)

Councilmember Miller moved to deny P-2023-00004, a final plat of Lot 1, Block 1 Chowdhry At Yates Addition. Motion seconded by Councilmember Waldron. Motion prevailed by the following vote:

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

Councilmember McKenzie returned to the meeting.

ORDINANCE(S)

12. Consider Ordinance 2553, first reading, providing for increased prior and current service annuities under the act governing the Texas Municipal Retirement System for retirees and beneficiaries of deceased retirees of the City of Hurst

Executive Director of Human Resources Stephanie Jenkins reviewed the proposed ordinance stating the City opted for the ad hoc calculation for Cost of Living Adjustments (COLA) and has historically provided 30% CPI instead of 50% or 70% due to also providing Social Security benefits. She stated staff is recommending approval of the 30% COLA.

Councilmember Waldron moved to approve Ordinance 2553, first reading, providing for increased prior and current service annuities under the act governing the Texas Municipal Retirement System for retirees and beneficiaries of deceased retirees of the City of Hurst, at 30% of the percentage change in CPI for all Urban Consumers, and establishing an effective date for the ordinance of January 1, 2024. Motion seconded by Councilmember Brotherton. Motion prevailed by the following vote:

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

RESOLUTION(S)

13. Consider Resolution 1849 casting votes for candidates to the Tarrant Appraisal District (TAD) Board of Directors

Councilmember Miller moved to approve Resolution 1849 casting 21 votes for Gary Losada. Motion seconded by Councilmember Brotherton. Motion prevailed by the following vote:

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

14. Consider Resolution 1850 continuing support and participation in the Community Powered Revitalization Program (CPR) and agreeing to expenditures allowed under the Texas Local Government Code Chapter 380 for the promotion of economic development

City Manager Clay Caruthers introduced 6Stones Executive Director Teresa Grady noting the City's approximately 14 years of involvement in the program. Ms. Grady provided an update on 6Stones, the CPR program and other programs offered in the community. She stated in the 2022/2023 fiscal year, CPR is coming up to almost the 200th house in Hurst. She reviewed the fiscal impact to Hurst through volunteer hours and in-kind services and plans to be in their new building on Highway 10 by mid to late summer. In response to Council questions, Ms. Grady stated they currently have 15 full and part-time employees and coordinate over 6,000 volunteers a year. Councilmember McKenzie noted how impressed he is with how much 6Stones is able to accomplish.

Councilmember McKenzie moved to approve Resolution 1850 supporting the Community Powered Revitalization (CPR) 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 Meeks. Motion prevailed by the following vote:

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

OTHER BUSINESS

15. Board, Commission, and Committee Minutes – Council reviewed the following minutes:
- Library Board
 - Hurst Community Arts and Historic Landmark Preservation Committee
16. Review of upcoming calendar items – City Manager Caruthers reviewed the future events calendar noting upcoming holiday events and closures.
17. City Council Reports - Items of Community Interest – No reports were given.

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 TCC government students in attendance at the meeting.

EXECUTIVE SESSION in Compliance with the Provisions of the Texas Open Meetings Law, authorized by Texas Government Code, Section 551.071 Consultation with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act (zoning, land use, and permits) and 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

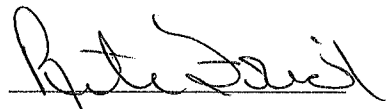
Mayor Wilson did not recess to Executive Session.

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


ADJOURNMENT – The meeting adjourned at 7:51 p.m.

APPROVED this the 28th day of November 2023.

ATTEST:


Rita Frick, City Secretary

APPROVED:


Henry Wilson, Mayor