

**City Council Minutes**  
**Tuesday, December 12, 2023**

On the 12<sup>th</sup> day of December 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
Kyle Gordon	)	Executive Director of Community Services
Steven Niekamp	)	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 Henry “Hank” Williams III

Mayor Wilson recognized the service of Henry “Hank” Williams III to the community and expressed gratitude and respect for Hank’s service to the City of Hurst. Mayor Wilson presented the flag flown at half-staff to wife June Williams, son, and daughter.

**CONSENT AGENDA**

2. Consider approval of the minutes for the November 28, 2023 City Council meeting

3. Consider authorizing the city manager to enter into an agreement with Premier Building Envelope Consultants for design and engineering services of the Fire Station 2 & 3 Roof Replacement Project
4. Consider Resolution 1851 declaring certain police department property as surplus and/or salvage and providing the city manager, or his designee, with disposition options
5. Consider authorizing the city manager to enter into an Annual Purchase Agreement with DFW Materials LP to purchase topsoil, cushion sand, and miscellaneous aggregate

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 AND RELATED ITEM(S)**

6. Conduct a public hearing and consider Ordinance 2554, first reading, to consider SITE-2023-00014, Lonesome Dove Sunroom, a site plan revision on Lot 8A, Block 4 Lonesome Dove Office Park Addition, being .54 acre located at 761 Lonesome Dove Trail

Mayor Wilson announced the public hearing to consider Ordinance 2554, first reading, to consider SITE-2023-00014, Lonesome Dove Sunroom, a site plan revision on Lot 8A, Block 4 Lonesome Dove Office Park Addition, being .54 acre located at 761 Lonesome Dove Trail and recognized Executive Director of Planning and Development Michelle Lazo who reviewed the case. Ms. Lazo explained the applicant is requesting the site plan revision in order to add an enclosed sunroom with 400 square feet on the rear of the building. She further explained the applicant plans to extend the roof structure and enclose the room with glass panels.

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

Councilmember McKenzie moved to approve Ordinance 2554, first reading, a Site Plan Revision for Lonesome Dove Sunroom. Motion seconded by Councilmember Brotherton. Motion prevailed by the following vote:

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

7. Conduct a public hearing and consider Ordinance 2555, first reading, to consider SITE-2023-00018 Noctis Liquor & Spirits, 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 2555, first reading, to consider SITE-2023-00018 Noctis Liquor & Spirits, 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 and recognized Executive Director of Planning and Development Michelle Lazo who reviewed the case stating the site is currently suites 106 and 108 and the developer plans to remodel for the proposed 4,288 square feet store. Ms. Lazo stated they do meet parking requirements and will follow laws for alcohol sales. She stated the owner has agreed to no signage on the rear of the building for the liquor store.

Mayor Wilson recognized Jeff Brand, 5720 LBJ Freeway, Dallas, Texas 75240, owner of the shopping center who stated he would be happy to answer any questions.

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

Councilmember McKenzie moved to approve Ordinance 2555, first reading, approving a Special Use Permit for Noctis Liquor and Spirits depending upon the expiration of the existing SUP at this address. Motion seconded by Councilmember Meeks. Motion prevailed by the following vote:

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

No: None

8. Conduct a public hearing and consider Ordinance 2556, first reading, amending Chapter 27 of the Hurst Code of Ordinances to require a Specific Use Permit for all convenience stores and CBD retail stores before issuing a Certificate of Occupancy

Mayor Wilson announced a public hearing to consider Ordinance 2556, first reading, amending Chapter 27 of the Hurst Code of Ordinances to require a Specific Use Permit for all convenience stores and CBD retail stores before issuing a Certificate of Occupancy and recognized Executive Director of Planning and Development Michelle Lazo who reviewed the proposed amendments to add definitions and require a Specific Use Permit SUP for convenience stores and CBD retail stores. She noted the process would be similar to vape stores and alcohol sales.

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

Councilmember Brotherton moved to approve Ordinance 2556, first reading, amending Chapter 27 of the Hurst Code of Ordinances. Motion seconded by Councilmember Miller. Motion prevailed by the following vote:

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

No: None

9. Conduct a public hearing and consider Ordinance 2557, first reading, to consider SITE-2023-00010 Quick Quack Car Wash, a site plan for Lot 7A, Block 1 Olde Towne Square, being 1.06 acres located at 701 Airport Freeway

Mayor Wilson announced the public hearing to consider Ordinance 2557, first reading, to consider SITE-2023-00010 Quick Quack Car Wash, a site plan for Lot 7A, Block 1, Olde Town Square, being 1.06 acres located at 701 Airport Freeway.

Councilmember Miller moved to continue the public hearing to the January 9, 2024 City Council meeting. Motion seconded by Councilmember McKenzie. Motion prevailed by the following vote:

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

10. Conduct a public hearing and consider reauthorizing building permit fees

Mayor Wilson announced a public hearing to consider reauthorizing building permit fees and recognized City Manager Clay Caruthers who noted new state legislation requires reauthorization of building permit fees in order to continue assessing said fees. He also noted the fees are utilized for plan inspections and site inspections.

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

Councilmember Miller moved to approve reauthorization of the building permit fees as authorized under Section 5-12 of the City of Hurst Code of Ordinances. Motion seconded by Councilmember Meeks. Motion prevailed by the following vote:

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

**OTHER BUSINESS**

11. Consider authorizing the city manager to negotiate and execute any and all agreements for Combined Jail Services with the Cities of Euless and Bedford

City Manager Clay Caruthers reviewed the proposed agreements for combined jail services with the Cities of Euless and Bedford and an agreement to transfer Hurst jailers to the City of Euless. Mr. Caruthers explained the reasons for the regional approach, including staffing shortages for jailers. He reviewed current budget and operational costs stating the cost will remain similar, possibly, a small savings. Mr. Caruthers also stated the City will receive payment back from the City of Euless to keep the Hurst jail ready for training and/or backup jail for prisoners. He expressed how dedicated the current jailers have been working overtime hours to provide sufficient coverage and his intent to make sure consideration is given regarding their benefits and compensation through the agreement with Euless. Councilmembers also noted Chief Niekamp's comments regarding processing the prisoners through Euless will also save officers time; expressed appreciation for the jailer's dedication and the great relationship Hurst-Euless-Bedford continue to enjoy.

Councilmember Meeks moved to authorize the city manager to negotiate and execute any and all Interlocal Agreements for Combined Jail Services. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

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

12. Consider authorizing the city manager to amend the Management Services Agreement with the Humane Society of North Texas for animal adoptions and other related animal services

Assistant City Manager Clayton Fulton reviewed the proposed contract amendment with the Humane Society of North Texas noting inflation expenses and their request for \$3,000 a month, which staff believes is reasonable. He noted the very positive working relationship between Hurst staff and the Humane Society of North Texas and staff's belief the joint relationship provides a higher level of service than if it was only Hurst's staff. In response to Councilmember questions, Mr. Caruthers stated it would be a retro payment to the October 1, 2023 date.

Councilmember Miller moved to authorize the city manager to amend the contract with Humane Society of North Texas to provide an additional \$3,000 in annual fixed management fees to support and maintain current service levels with an effective date of October 1, 2023. Motion seconded by Councilmember Waldron. Motion prevailed by the following vote:

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

13. Consider authorizing the city manager to enter into a contract with Halff and Associates Inc. for the review and audit of Chapter 27 Zoning and Chapter 12 Licenses and Business Regulations in the Hurst Code of Ordinances

Executive Director of Planning and Development Michelle Lazo reviewed the proposed contract with Halff and Associates for the audit of Chapter 27 Zoning and Chapter 12 Licenses noting the need to review for permitting processes, definitions and address any conflicts between the chapters. In response to Councilmember questions, Ms. Lazo stated the goal is easier operations and to help staff interpret and enforce as well. City Manager Caruthers also noted the need to make sure the City is compliant with laws.

Councilmember Brotherton moved to authorize the city manager to enter into a contract with Halff and Associates Inc. for the review and audit of Chapter 27 Zoning and Chapter 12 Licenses and Business Regulations in the Hurst Code of Ordinances. Motion seconded by Councilmember McKenzie. Motion prevailed by the following vote:

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

14. Consider authorizing the Mayor to renew an Interlocal Agreement with Tarrant County for

funding of the Pipeline Road, Phase 4 Street Reconstruction Project from Harrison Lane to Brown Trail

Executive Director of Public Works Greg Dickens reviewed the proposed renewal for the Interlocal Agreement with Tarrant County for funding of the Pipeline Road, Phase 4 Street Reconstruction Project from Harrison Lane to Brown Trail noting the County's process for annual renewal. He stated Hurst signed the agreement last year and is proposing to renew to allow for the County's 2021 bond program funding. Mr. Dickens stated the right-of-way appraisal process is currently in process for this project, and City Manager Caruthers noted the possibility of a Certificate of Obligation issuance in the future to fund the City's portion of the project.

Councilmember Waldron moved to authorize the Mayor to renew the Interlocal Agreement for pipeline Road, Phase 4 Reconstruction project with Tarrant County. Motion seconded by Councilmember Miller. Motion prevailed by the following vote:

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

No: None

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

16. City Council Reports - Items of Community Interest

Mayor Wilson noted Executive Director of Economic Development Steve Bowden's retirement this month and expressed his appreciation for the great job Steve has provided the City of Hurst during his tenure.

**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 Charles Gibbons, 216 Cooper Drive, Hurst, Texas 76053 who expressed concern regarding additional sanitary sewer fees on his utility bill.

**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 (115 W. Pipeline Line Road) and to reconvene in Open Session at the conclusion of the Executive Session to consider and take any necessary action**

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

Councilmember Miller moved to approve the acquisition consistent with our discussion in Executive Session and authorize the City Manager to execute all necessary documents and to

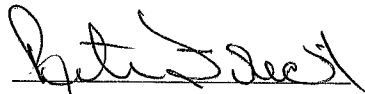
take all other necessary action. Motion seconded by Councilmember Waldron. Motion prevailed by the following vote:

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

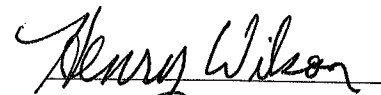
**ADJOURNMENT** – The meeting adjourned at 7:15 p.m.

**APPROVED** this the 9<sup>th</sup> day of January 2024.

**ATTEST:**

  
Rita Frick, City Secretary

**APPROVED:**

  
Henry Wilson, Mayor