

City Council Minutes
Tuesday, April 9, 2024

On the 9th day of April 2024, 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
Cindy Shepard	)	Councilmembers
Cathy Brotherton)	
Jon McKenzie)	
John Miller)	
Jimmy Meeks)	
Clay Caruthers	)	City Manager
Matthew Boyle	)	City Attorney
Clayton Fulton	)	Assistant City Manager
Malaika Marion Farmer	)	Assistant City Manager
Rita Frick	)	City Secretary
Chris Connolly	)	Executive Director of Economic Development
Greg Dickens	)	Executive Director of Public Works
Steve Niekamp	)	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 John Miller gave the Invocation.

The Pledge of Allegiance and Texas Pledge were given.

PROCLAMATION(S)

1. Proclamation recognizing Child Abuse Prevention Month

Councilmember Miller read and presented the proclamation recognizing Child Abuse Prevention Month to Alliance for Children representative Virginia Davison. Police Chief Steve Niekamp noted the great partnership they have with Alliance for Children and reviewed several of their services.

2. Proclamation recognizing VIA and Blue Jacket Ceremony

Mayor Pro Tem Gary Waldron read and presented the proclamation recognizing Volunteer Appreciation Week to Volunteer Coordinator Hannah Ditgen. Mayor Wilson noted these volunteers have reached the 200-hour service mark. The following volunteers were recognized and provided a Blue Jacket by the Mayor and Council: Lisa Baxley, Diana

Conway, Paula Layton, Teresina Pedrero and William Strait. Mayor Wilson expressed gratitude, on behalf of the Mayor and Council, for the generous contribution of time connecting to the community.

CONSENT AGENDA

3. Consider approval of the minutes for the March 22 and 26, 2024 City Council meetings
4. Consider authorizing the city manager to proceed with the Precinct Line Median Landscape Repair project
5. Consider Ordinance 2567, second reading, Z-2024-00005 Gibson RV Parking, a zoning change to Interim Zoning with a site plan on Lot 1, Block 1 Central Park Northeast Addition, being 5.08 acres located at 1425 W. Hurst Boulevard
6. 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
7. 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

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

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

No: None

PUBLIC HEARING(S) AND RELATED ITEM(S)

8. Conduct a public hearing and consider Ordinance 2561, first reading, SITE-2023-00012 Mobile C-Store and Liquor, a site plan revision and Special Use Permit for Packaged Alcohol Sales on Lot 1, Block 1 Hunters Glen Addition, being .99 acre located at 1635 Precinct Line Road (Continued from the February 27, 2024 City Council meeting)

Mayor Wilson announced the public hearing to consider Ordinance 2561, first reading, SITE-2023-00012 Mobile C-Store and Liquor, a site plan revision and Special Use Permit for Packaged Alcohol Sales on Lot 1, Block 1 Hunters Glen Addition, being .99 acre located at 1635 Precinct Line Road and recognized Executive Director of Planning and Development Michelle Lazo who reviewed the proposed case noting the applicant is asking to expand the foot print south by 1852 square feet to add a packaged liquor store. She stated parking will be added to meet the required number and that the liquor store will be separate from the convenience store with separate entrances. Ms. Lazo reviewed the building elevations and proposed signage noting the applicant is requesting two building signs, to keep the existing

gas station sign and add an additional multi-tenant monument sign on the southeast corner of the property.

Mayor Wilson recognized the following individuals who spoke in favor of the case:

Ray Oujesky, Kelly Hart & Hallman Firm, 201 Main Street, Suite 2500, Fort Worth, Texas, representing the property owner. He stated the applicant is Houshang Jahvani and reviewed the proposed case. He noted ownership, length of ownership, and improvements made since purchase in 2022. Also noted were two access driveways with one being shared with the adjacent carwash; a similar combined convenience and package store in the City of Colleyville and traffic estimates prepared utilizing the same type use. Mr. Oujesky reviewed a traffic study prepared by Kimerly-Horn and Associates noting peak hour estimates and total daily trips of an estimated 193, over a 24-hour period. He advised the owner desires the package store to compete with the close by QT and Murphy stores to provide a product the other stores do not sell. Mr. Oujesky stated the traffic engineers also conducted an actual onsite count at the convenience store, it was not available tonight, but indicated it could be provided at a second reading.

Property owner Rajib Rajbhat, 4901 Rockrimmon Court, Colleyville, Texas expressed his desire to protect his small business and that his brother-in-law, a former US Airforce member, will join him as a joint venture. He stated he believed this is an opportunity for them and the City of Hurst.

Amol Advacarie, 9717 Birdville Way, who noted he recently moved from San Antonio and served in the US Airforce for 8 years. He stated he recently had a baby and his sister presented the idea of the liquor store as a possible tenant. He expressed his excitement to do something coming out of the military. He explained his father would help run the liquor store and that he will make sure fellow veterans have equal opportunity to have an income in that he plans on four full time positions.

Mayor Wilson recognized the following individual who spoke against the case:

Georgina Butcher, 109 Charlene Drive, Hurst, who stated she supports small business, but as a resident she opposes for two reasons. That they are close to more liquor stores than residents and the area is inadequate for today's traffic, any increase is unacceptable and dangerous to drive even in the middle of the day.

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

In response to Councilmember questions, Ms. Lazo stated she did not have traffic counts related to the shared driveway to the carwash.

Councilmember McKenzie moved to deny Ordinance 2561, a site plan revision and Special Use Permit for Mobile C-Store and Liquor. Motion seconded by Councilmember Brotherton. Motion prevailed by the following vote:

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

ORDINANCE(S)

9. Consider Ordinance 2568, first reading, amending Section 26-36 – Drought Contingency and Emergency Water Management Plan of the Code of Ordinances

Executive Director of Public Works Greg Dickens reviewed the proposed ordinance noting the Drought Contingency & Emergency Water Management Plan was originally adopted in 1999 as required by the state. He stated, by law, as a wholesale customer of Fort Worth the City must adopt their plan along with several conditions that are unique to the City of Hurst's water system. He stated there are no significant changes to the plan and that the rules require the plan be updated every five years.

Councilmember Miller moved to approve Ordinance 2568, first reading, amending Section 26-36 by adopting a revised Exhibit A – City of Hurst Drought Contingency & Emergency Water Management Plan of the Code of Ordinances. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

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

10. Consider Ordinance 2569, first reading, amending Section 26-49 – Water Conservation Plan of the Code of Ordinances

Executive Director of Public Works Greg Dickens reviewed the proposed ordinance noting this plan is similar to the Drought Contingency Plan. That state law dictates every city have a plan and certain items that must be in the plan. He stated a few items have been added by the Texas Commission on Environmental Quality (TCEQ) but there are not significant funding impacts, and again, this plan must be updated every five years.

Councilmember Brotherton left the meeting at 7:20 p.m.

Councilmember Waldron moved to approve Ordinance 2569, first reading, amending Section 26-49 by adopting a revised Exhibit A – City of Hurst Water Conservation Plan of the Code of Ordinances. Motion seconded by Councilmember Meeks. Motion prevailed by the following vote:

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

Mayor Wilson next moved to Agenda Item 12.

RESOLUTION(S)

11. Consider Resolution 1853 declaring expectation to reimburse expenditures with proceeds of future debt related to improvements to the City's waterworks system

Assistant City Manager Clayton Fulton reviewed the proposed resolution stating it will allow the City to be reimbursed from project expenditures incurred for up to 18 months prior to the issuance of bonds for this specific project. He stated even with inflationary pressures, it is important to note 2/3 of the funding for the water tower project will be funded through reserves and impact fees, then bonds. He stated the City is in a favorable debt position.

Councilmember Miller moved to approve Resolution 1853 declaring expectation to reimburse expenditures with proceeds of future debt related to improvements of the City's waterworks system. Motion seconded by Councilmember Waldron. Motion prevailed by the following vote:

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

OTHER BUSINESS

12. Consider authorizing the city manager to enter into a contract with Landmark Structures I, LP for Mary Drive 0.75 MG Elevated Storage Tank Improvements

Councilmember Brotherton returned to the meeting at 7:23 p.m.

Executive Director of Public Works Greg Dickens reviewed the bids received for the proposed elevated storage tank to add an additional tank in the south plain. He explained the need for the additional tank, including back up when the current tank is drained for repairs and for a period of little rain and high usage. Mr. Dickens noted the bid was styled for either a multi-leg steel tank or a composite tank so the Council could award the bid that was deemed to provide the best value to the City, not necessarily the low bid. He stated staff is recommending the composite base bid by Landmark Structures I, LP as the best bid for the value and location. City Manager Clay Caruthers noted although the additional \$250,000 in bid price seems high, long term, it will save on maintenance cost and having a separate equipment house and its maintenance costs. In addition, staff believes for redevelopment efforts in the area, the composite is more aesthetically pleasing. He stated staff requested the Mayor switch this order of Agenda Items 11 and 12, in that if this item is not approved there is no need to consider the reimbursement resolution.

In response to Council questions, Staff stated the actual bid is drastically higher than the original \$4 million estimate by the consulting engineer, but believe it is mainly due to the economy. Labor and material are much higher and a sign of the times. Also noted was the similarity to housing and inflation over the years. Staff stated as far as inflationary pressures on the budget, the City is in build-out mode and all costs are increasing.

Councilmember Meeks moved to authorize the city manager to enter into a contract with Landmark Structures I, LP, for Mary Drive 0.75 MG Elevated Storage Tank Project, in the amount of \$6,331,000.00 with a contingency of \$169,000.00, for a total amount of \$6,500,000.00 and a construction contract duration of 510 calendar days. Motion seconded by Councilmember Miller. Motion prevailed by the following vote:

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

Mayor Wilson moved back to Agenda Item 11.

13. Review of upcoming calendar items – City Manager Clay Caruthers reviewed the future events calendar in the packet.
14. City Council Reports - Items of Community Interest

Councilmember Miller gave accommodations to Executive Director of Community Services Kyle Gordon and the Community Services Department for the recent Pups and Pints event, and Mayor Wilson also included the Eclipse Watch Party. Mr. Gordon stated the Pups and Pints and Eclipse Watch Party events were well attended.

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 Leadership HEB attendees and TCC Students present at the meeting.

ADJOURNMENT

The meeting was adjourned at 7:39 p.m.

APPROVED this the 23rd day of April 2024.

ATTEST:



Rita Frick, City Secretary

APPROVED:



Henry Wilson, Mayor