

**RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
APRIL 12, 2021
MINUTES**

Roll Call:

Council present

Edward Lopez, Mayor
Douglas Knowlton, Place 1
Stacey L. Morse, Place 2
Curtis A Bergthold, Mayor Pro Tem

Council absent

Javier Alvarez, Place 4

Athena Campbell, Place 5

Staff present

Candice Edmondson, City Manager
Cathy Bourg, City Secretary
Betsy Elam, City Attorney

The Work Session and Regular Session is open to the public and citizens are welcome to attend. However, due to the current Coronavirus (COVID-19) outbreak in our area and in an effort to abide by social distancing recommendations, we encourage citizens wishing to participate in the meeting to email your comment to City Secretary Cathy Bourg at cbourg@richlandhills.com by 5:00 p.m. on Monday, April 12th. Your comment will be read aloud during Item 1C *Citizen Appearances/Public Comments*. If you would like to join and participate in the meeting by video conference or phone, you may do so via the following options:

- **Online via Zoom:** Go to zoom.us, Join a Meeting, and enter Meeting ID 891 3720 0402 and the host will allow you to enter the virtual meeting. The host will ask you what item you would like to speak on, and you will be called upon when that item is presented to address the City Council.
- **By Phone:** Please call (346) 248-7799 and enter Meeting ID 891 3720 0402 and provide your name and address. The host will ask you what item you would like to speak on, and you will be called upon when that item is presented to address the City Council.

CITY COUNCIL WORK SESSION – Mayor Lopez Called to Order – Time 6:30 PM

1. **Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183 (f) and 418.106 (d) & (e) of the**

Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated herein.

Motion: Motion was made by Councilmember Knowlton and seconded by Councilmember Morse to convene into executive session. Time: 6:32 p.m.

Motion carried by a vote of 4-0. Councilmember Alvarez absent

Mayor Lopez reconvened into open session. Time: 6:53

2. Discuss items and presentations listed on tonight's City Council Agenda.

None

Mayor Lopez called for a break. Time: 6:54

REGULAR SESSION – Mayor Lopez Called to Order – Time 7:00 p.m.

Invocation – Mayor Lopez

1. PRESENTATIONS

A. Recognition of Public Works Department

Scott Mitchell, Director of Neighborhood Services presented the following information in recognition of the Public Works Department:

Public Works staff in the City of Richland Hills are cross trained in all the assigned public works disciplines - water, wastewater, drainage, streets, mowing and grounds maintenance. Individuals are not assigned to a specific department as in most cities. There is a total of 11 FTE's (full time equivalents) approved for Public Works: one Operations Manager, one Administrative Assistant, and nine Maintenance Workers. There are currently five Maintenance Workers on staff with four unfilled, open positions.

Prior to the onset of the February winter storm, Public Works staff spent several days preparing city facilities and infrastructure for the extreme weather. They added additional heating units to the pump houses, added insulation to outdoor pipes and filled water tanks across the system. They made sure the generators at the lift station, Police Department and the portable generators at the Public Works facility were fully fueled and ready to go. Fleet and heavy equipment were fueled and prepped for winter response, and sand was stockpiled under cover for road use. All personnel were placed in an "on call" status.

When the first wave of the storm hit, the Public Works Department was able to quickly respond to service requests as planned. However, when the electric grid failed causing prolonged power outages, the city's pumps froze, and water was no longer able to flow through the system.

Public Works staff worked continuously over six straight days trying to restore the city's water system and get water back to our citizens. They also responded to multiple water main breaks and over 400 service requests from homeowners and businesses with frozen and broken pipes. When they weren't working on the water system, crews attempted to clear and sand icy roadways. Eventually the city did have to request assistance from Haltom City Public Works and from two contractors in order to address all the issues.

Since the winter storm, Public Works staff have continued to dedicate most of their time to repairing and replacing water infrastructure damaged during the storm. A list of some of the major damage includes:

- Loss of the 10" pump - South 40 pump house (3100 Wesley Way)
- Loss of 10" check valve – South 40 pump house
- Loss of all electrical switch gear and SCADA – South 40 pump house
- Damage to pump motor – South 40 pump house
- Physical damage to the structure of the South 40 pump house
- Loss of the use of the 1-million-gallon storage tank – South 40
- Loss of the 10" pump – Rena Drive well/pump house
- Loss of 10" check valve – Rena Drive pump house
- Loss of two control valves – Rena Drive pump house
- Loss of all chlorination systems for the five production wells
- Emergency power rental and connection for Booth Calloway pump house

Pumphouse repairs were finally completed last week. The pump station on Wesley Way (South 40), the one-million-gallon storage tank and the well/pump station and storage tank on Rena Drive are all back online. There are still several repairs ongoing, but the water system is fully operational and ready to handle the peak summer usage.

With most of the winter storm repairs behind them, Public Works staff are now able to return their focus to ongoing maintenance tasks including street repairs, drainage structure cleaning, mowing, sewer cleaning, meter reading, required weekly water testing, leak repairs, etc.

The entire Public Works team is to be commended for outstanding dedication and performance, not only in daily operations but especially during the winter storm. Their dedicated efforts working around the clock to maintain and return services to the citizens of Richland Hills is incredible, especially considering the number of active personnel. The Public Works team includes:

Public Works Operations Manager – Robert Rush
Administrative Assistant – Ashley Garza
MW III – Kelly Morris
MW II – Justin Meine
MW I – Jimmy Elliott
MW I – Pedro Rodriguez Negrón
MW I – Jason Mattaliano

B. Presentation of National Library Week Proclamation

Mayor Lopez presented a Proclamation for “National Library Week” to Chantele Hancock, Richland Hills Library Director.

C. Citizen Appearances/Public Comments

Citizen comments emailed to Cathy Bourg (cbourg@richlandhills.com) on an item either listed on this agenda or not listed on this agenda will be heard at this time. Citizens in attendance at the meeting who have signed a card to speak to the City Council will also be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the city staff and City Council members are prevented from discussion of the subject and may respond only with statements of factual information or existing city policy. Public comment will not be taken on items that the Council has previously considered in a public hearing.

G.W. Estep, 6868 Hardisty Street spoke about the successful community fundraiser event hosted by former Richland Hills Jr. High Rams to benefit a fellow alum who needs a medical procedure. There were about 200 in attendance and \$5,600 was raised at the event.

Candice Edmondson, City Manager read emailed comments from Ingrid Ward, 3605 Land Lane regarding the city website, code compliance and permits. She requested the city website be updated so that information about permits are concise and accurate as well as easy to find, and make code enforcement consistent, not targeting of certain homes for unknown reasons.

Candice Edmondson, City Manager read emailed comments from Theresa Bledsoe, 2716 Spruce Park requesting a new road due to potholes from drainage work by the city and speed bumps due to pass through traffic speeding.

Mayor Lopez requested item 2A, minutes from March 22, 2021 be removed for separate discussion.

Motion: Motion was made by Councilmember Bergthold and seconded by Councilmember Knowlton to remove item 2A from the consent agenda for separate discussion.

Motion carried by a vote of 4-0. Councilmember Alvarez absent

2A. Approve minutes from the March 22, 2021 City Council Regular Meeting

Mayor Lopez discussed a phone call he received suggesting that he may have missed something at the last meeting regarding a motion and the recording of a vote. He recalled his remarks as asking everyone in favor to say “I” and any opposed? He said a Councilmember expressed that their vote may not have been recorded as a “no”. Mayor Lopez asked the City Secretary to review the meeting recording to verify the vote. The

City Secretary reviewed the recorded meeting and confirmed that the vote on item 4A was unanimous and recorded that decision in the March 22, 2021 draft meeting minutes.

Mayor Lopez gave the Councilmember an opportunity to speak to the minutes or to let the minutes stand as recorded on item 4A as unanimous.

Motion: Motion was made by Councilmember Morse and seconded by Councilmember Knowlton to approve the minutes from the March 22, 2021 City Council Regular Meeting.

Motion carried by a vote of 4-0. Councilmember Alvarez absent

CONSENT AGENDA

2B. Approve the Joint Election Agreement and Contract for Election Services with Tarrant County Elections for the May 1, 2021 General Election

2C. Approve emergency sewer main replacement in the 7000 block of Dover Lane

Motion: Motion was made by Councilmember Campbell and seconded by Councilmember Bergthold to approve the consent agenda.

Motion carried by a vote of 4-0. Councilmember Alvarez absent

PUBLIC HEARINGS, MEETINGS, AND OTHER RELATED ITEMS

3A. Consider Ordinance 1426-21 a zoning change on property described as Lot 9 in Block 2 of Jordan Addition, an addition to the City of Richland Hills, Tarrant County, Texas otherwise known as 7921 Norma Lane, Richland Hills, Texas 76118. Current Zoning: Single-Family Residential (SF-7). Requested Zoning: Two-Family (Duplex) Residential (MF-1) PUBLIC HEARING

Candice Edmondson, City Manager presented Ordinance 1426-21 a zoning change on property described as Lot 9 in Block 2 of Jordan Addition, an addition to the City of Richland Hills, Tarrant County, Texas otherwise known as 7921 Norma Lane, Richland Hills, Texas 76118. Current Zoning: Single-Family Residential (SF-7). Requested Zoning: Two-Family (Duplex) Residential (MF-1).

The property at 7921 Norma Lane, Lot 9 is a 11,107 square foot vacant lot currently zoned Single-Family Residential (SF-7). The property is owned by Blackall R&R, LLC. The applicant in this case, Deborah Blackall, has owned the property since April 2015. She is requesting a zoning change to Two-Family (Duplex) Residential, so that she may build a duplex on the property. The property just west of Lot 9, 7913 Norma Lane, is a duplex. While 7913 Norma Lane is zoned Single-Family Residential (SF-7) according to the City of Richland Hills Zoning Ordinance, the Tarrant Appraisal District lists the state code as

B, which indicates a multi-family property. The other properties along Norma Lane are built as single-family residences and have state codes to match that designation.

Prior to adoption of the City's current Comprehensive Zoning Plan in May 2014, it appears that the properties along Norma Lane were zoned R-2 Single Family – Duplex. The Future Land Use Plan shows 7921 Norma Lane and the surrounding properties developing as Retail (R). The requested change is not consistent with the City's Comprehensive Land Use Plan.

The Planning and Zoning Commission considered the zoning change request at their March 23, 2021 meeting and recommended approval 5-0.

The applicant Deborah Blackall spoke requesting approval of the zoning change to build a duplex on the property and answered question from the Council.

Mayor Lopez opened the Public Hearing: Time: 7:38 p.m.

Stacy Redding, 7012 Hardisty Street spoke against the zoning change request.

Mayor Lopez closed the Public Hearing: Time: 7:43 p.m.

Council discussed and asked questions of the applicant.

Motion: Motion was made by Councilmember Knowlton and seconded by Councilmember Campbell to approve Ordinance 1426-21 a zoning change on property described as Lot 9 in Block 2 of Jordan Addition, an addition to the City of Richland Hills, Tarrant County, Texas otherwise known as 7921 Norma Lane, Richland Hills, Texas 76118 from Single-Family Residential (SF-7) to Two-Family (Duplex) Residential (MF-1).

Motion carried by a vote of 3-1. Councilmember Morse against and Councilmember Alvarez absent

3B. Consider Ordinance 1427-21 a zoning change on property described as a 58,831 square foot (1.350 acres) tract of land situated in the Simcoe Popplewell Survey, Abstract No. 1241, City of Richland Hills, Tarrant County, Texas otherwise known as 7206 Latham Drive, Richland Hills, Texas 76118. Current Zoning: Single-Family Residential (SF-7). Requested Zoning: Light Commercial (LC) PUBLIC HEARING

Candice Edmondson, City Manager presented Ordinance 1427-21 a zoning change on property described as a 58,831 square foot (1.350 acres) tract of land situated in the Simcoe Popplewell Survey, Abstract No. 1241, City of Richland Hills, Tarrant County, Texas otherwise known as 7206 Latham Drive, Richland Hills, Texas 76118. Current Zoning: Single-Family Residential (SF-7). Requested Zoning: Light Commercial (LC)

The property at 7206 Latham Drive is a 58,831 square foot lot currently zoned Single-Family Residential (SF-7). There is a 2,600 square foot building on site that used to be a service center for Southwestern Bell/AT&T. The property is currently owned by AFI, Investments LLC.

The applicant in this case, Dan Boykin, Jr., has owned the property since October 2019. He is requesting a zoning change to Light Commercial (LC) with the intent to build a sporting goods store on the property. The Light Commercial designation would allow for a retail store to develop on this site.

The properties to the north and east of 7206 Latham Drive are currently zoned Light Commercial. The Future Land Use Plan shows the property developing as Mixed Use (MX). The requested change is not consistent with the City's Comprehensive Land Use Plan, but a retail development is permitted in both the Light Commercial and Mixed Use zoning districts.

The Planning and Zoning Commission considered the zoning change request at their March 23, 2021 meeting and recommended approval 5-0.

The applicant Dan Boykin spoke requesting approval of the zoning change with the intent to build a sporting goods store on the property and answered question from the Council.

Mayor Lopez opened the Public Hearing: Time: 7:55 p.m.

G.W. Estep, 6868 Hardisty Street asked if the applicant would consider building the sporting goods store if it were zoned Mixed Use.

Stacy Redding, 7012 Hardisty Street spoke in favor of the zoning change request.

John Skier, 7016 Park Place Drive spoke in favor of the zoning change request.

Travis Malone, 2641 Mimosa Park Drive spoke in favor of the zoning change request.

Mayor Lopez closed the Public Hearing: Time: 8:00p.m.

Council discussed the possibility of changing the zoning to Mixed Use (MX) and asked questions of the applicant and the City Attorney.

Betsy Elam, City Attorney clarified that using a less intensive use would be allowed without noticing the request.

The applicant Dan Boykin agreed to the Mixed Use zoning change.

Motion: Motion was made by Councilmember Bergthold and seconded by Councilmember Morse to approve Ordinance 1427-21 a zoning change on property described as a 58,831 square foot (1.350 acres) tract of land situated in the Simcoe Popplewell Survey, Abstract No. 1241, City of

Richland Hills, Tarrant County, Texas otherwise known as 7206 Latham Drive, Richland Hills, Texas 76118 from Single-Family Residential (SF-7) to Mixed Use (MX).

Motion carried by a vote of 4-0. Councilmember Alvarez absent

3C. Consider Ordinance 1428-21 a Specific Use Permit (SUP 2021-0148) for Outside Storage and Display for the property described as Block 7, MIDWAY PLACE, an Addition to the City of Richland Hills, Tarrant County, Texas otherwise known as 7500 Baker Boulevard, Ste. 130, Richland Hills, Texas 76118 PUBLIC HEARING

Candice Edmondson, City Manager presented Ordinance 1428-21 a Specific Use Permit (SUP 2021-0148) for Outside Storage and Display for the property described as Block 7, MIDWAY PLACE, an Addition to the City of Richland Hills, Tarrant County, Texas otherwise known as 7500 Baker Boulevard, Ste. 130, Richland Hills, Texas 76118.

The property at 7500 Baker Boulevard, Ste. 130 is a 42,000 square foot warehouse owned by Linron Properties LTD. The warehouse is part of a larger 125,911 square foot multi-tenant building that sits on 12.1239 acres of land currently zoned Planned Development.

The applicant for this case is Marc Toussaint of Florida Water Products. Mr. Toussaint relocated his pool supply and distribution business to 7500 Baker Boulevard, Ste. 130 last fall. He is now seeking a Specific Use Permit (SUP) for outside storage of pool equipment and materials. Mr. Toussaint plans to construct a 75 x 77 square foot, fenced in area for outside storage.

The Planned Development for 7500 Baker Boulevard was approved by the City Council on May 21, 2013. Florida Water Products was issued a use designation of Warehouse/Distribution Center at the time they received their certificate of occupancy. Per the Planned Development requirements, this use requires an approved SUP for outside storage.

The proposed fencing material will be 8ft high galvanized chain link with black plastic slats. This type of screening is permitted per the original site plan approved with the Planned Development.

The City's Development Review Committee (DRC) has reviewed the SUP request and recommends approval.

The Planning and Zoning Commission considered the Specific Use Permit request at their March 23, 2021 meeting and recommended approval 5-0

Kevin Adams a representative of the applicant answered questions from the Council.

Mayor Lopez opened the Public Hearing: Time: 8:13 p.m.

G.W. Estep, 6868 Hardisty Street asked a question regarding retail/wholesale and parking.

Stacy Redding, 7012 Hardisty Street spoke in favor of the SUP request.

Mayor Lopez closed the Public Hearing: Time: 8:15 p.m.

Motion: Motion was made by Councilmember Morse and seconded by Councilmember Bergthold to approve Ordinance 1428-21 a Specific Use Permit (SUP 2021-0148) for Outside Storage and Display for the property described as Block 7, MIDWAY PLACE, an Addition to the City of Richland Hills, Tarrant County, Texas otherwise known as 7500 Baker Boulevard, Ste. 130, Richland Hills, Texas 76118

Motion carried by a vote of 4-0. Councilmember Alvarez absent

ORDINANCES & RESOLUTIONS AND OTHER RELATED ITEMS

4A. Approve Resolution 536-21 requesting Tarrant County include reconstruction of Glenview Drive as part of the Tarrant County 2021 Transportation Bond Program

Candice Edmondson, City Manager gave a presentation on the Tarrant County 2021 Transportation Bond Program Resolutions for items 4A, 4B and 4C.

During the March 22, 2021 City Council meeting, Council requested staff develop proposals for the following three road projects to be included in the Tarrant County 2021 Transportation Bond Program:

1. Reconstruction of Glenview Drive Glenview Drive from east city limit with Hurst to Boulevard 26 to include pavement reconstruction, new curb and gutter, drainage improvements and new signalization
2. Reconstruction of Booth Calloway Road from Glenview Drive to the threshold of the new intersection at Baker Boulevard / Loop 820 to include pavement reconstruction, new curb and gutter and drainage improvements
3. Reconstruction of Midway Road from Big Fossil Creek to Handley Ederville Road to include construction of a center turn lane, pavement reconstruction from asphalt to concrete, new curb and gutter and drainage improvements

David Burkett with Halff Associates discussed the process and answered questions regarding the Transportation Bond Program.

Motion: Motion was made by Councilmember Campbell and seconded by Councilmember Morse to Resolution 536-21 requesting Tarrant County include reconstruction of Glenview Drive as part of the Tarrant County 2021

Transportation Bond Program and refer possible financing to the Finance Committee.

Motion carried by a vote of 4-0. Councilmember Alvarez absent

4B. Approve Resolution 537-21 requesting Tarrant County include reconstruction of Booth Calloway Road as part of the Tarrant County 2021 Transportation Bond Program

Motion: Motion was made by Councilmember Campbell and seconded by Councilmember Morse to approve Resolution 537-21 requesting Tarrant County include reconstruction of Booth Calloway Road as part of the Tarrant County 2021 Transportation Bond Program and refer possible financing to the Finance Committee.

Motion carried by a vote of 4-0. Councilmember Alvarez absent

4C. Approve Resolution 538-21 requesting Tarrant County include reconstruction of Midway Road as part of the Tarrant County 2021 Transportation Bond Program

Motion: Motion was made by Councilmember Campbell and seconded by Councilmember Morse to approve Resolution 538-21 requesting Tarrant County include reconstruction of Midway Road as part of the Tarrant County 2021 Transportation Bond Program and refer possible financing to the Finance Committee.

Motion carried by a vote of 4-0. Councilmember Alvarez absent

CONTRACTS, AGREEMENTS, BID AWARDS AND OTHER RELATED ITEMS

5A. None

OTHER ITEMS FOR CONSIDERATION

6A. None

REPORTS & DISCUSSIONS

7A. None

8. COMMUNITY INTEREST ITEMS

- Link Anniversary Party & Open House - Saturday, April 17, 10 AM – 2 PM, The Link - The Link is turning 4! Come celebrate with The Link and Performance Experience at our Open House. Learn about The Link's new programs, win some great door prizes, and check out our neighborhood

partners. Register in advance at The Link or on The Link's Facebook page. Registration is free.

- Link Membership Sale - April 15 - May 15 - The Link's annual spring membership sale begins April 15. Pick your perk with any paid in full annual membership including free childcare, a 16% discount off regular rates or free group exercise classes. Please note some perks may not be applicable to all memberships.
- Spring Pickleball Tournament - Thursday, May 15; starting at 8:00 AM
- A Mixed Doubles and Women's Doubles - 50 and older tournament. Only \$25 per team, with each team playing pool play first with the top-2 teams from each group advancing to a single elimination bracket for our champion!
- 3-on-3 Triple Threat Basketball Tournament - Saturday, August 24; starting at 8:00 AM - The Link will host 3 different age groups 13 and Under, 17 and Under and 18 and older. Games will be played at The Link. Teams can have up to 6 players. The team fee is \$125. Sign up at The Link or on The Link's Facebook page.
- Vax Shack at the Animal Shelter – 4th Thursday of each month
- May 1st General Election - Early Voting begins Monday, April 19th and will continue through Tuesday, April 27th. On Election Day, voting will be held at Richland Hills City Hall in the Council Chambers from 7:00 a.m. to 7:00 p.m.

9. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183 (f) and 418.106 (d) & (e) of the Texas Government Code (Texas Disaster Act).

None at this time

1. Adjournment

There being no further business to come before the City Council, Mayor Lopez declared the meeting adjourned at 8:39 p.m.

ATTEST

APPROVED

Cathy Bourg, City Secretary

Edward Lopez, Mayor