

**RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
MAY 10, 2021
MINUTES**

Roll Call:

Council present

Edward Lopez, Mayor
Douglas Knowlton, Place 1
Stacey L. Morse, Place 2
Curtis A Bergthold, Mayor Pro Tem
Javier Alvarez, Place 4
Athena Campbell, Place 5

Council present via Zoom

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, May 10th. 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 872 5162 8645 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 872 5162 8645 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 – 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 Campbell and seconded by Councilmember Morse to convene into executive session. Time: 6:31 p.m.

Motion carried by a vote of 5-0.

Mayor Lopez reconvened into open session and called for a break. Time: 6:52 p.m.

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

None

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

Invocation – Mayor Lopez

1. PRESENTATIONS

A. Recognition of outgoing Councilmember Athena Campbell

Mayor and Council recognized outgoing Councilmember Athena Campbell.

B. Presentation of National Emergency Medical Services Week Proclamation

Mayor Lopez presented the National Emergency Medical Services Week Proclamation to the Richland Hills Fire Department.

C. Presentation of Professional Municipal Clerks Week Proclamation

Mayor Lopez presented the Professional Municipal Clerks Week Proclamation to Cathy Bourg, City Secretary.

D. 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.

Item was presented after item 3A

Mayor Lopez shared an email from Mike and Mary Witt, 7200 Hovenkamp Ave. regarding construction truck traffic on Popplewell, gun violence and crime in the City.

CONSENT AGENDA

2A. Approve minutes from the April 26, 2021 City Council Regular Meeting

2B. Approve Ordinance 1421-20A amending Article III “Food Service Establishments” of Chapter 18 “Businesses” amending section numbering of Division 2 – Mobile Food Vendors Operation Permit

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

Motion carried by a vote of 5-0.

PUBLIC HEARINGS, MEETINGS, AND OTHER RELATED ITEMS

3A. Consider Ordinance 1407-20A adopting the 2021 Standards of Care for youth programs provided by The Link Event & Recreation Center PUBLIC HEARING

Andrew Saxon, Recreation Supervisor presented Ordinance 1407-20 adopting the 2021 Standards of Care for youth programs provided by The Link Event & Recreation Center.

Mayor Lopez opened the Public Hearing: Time: 7:22 p.m.

None

Mayor Lopez closed the Public Hearing: Time: 7:23 p.m.

Motion: Motion was made by Councilmember Knowlton and seconded by Councilmember Morse to approve Ordinance 1407-20A adopting the 2021 Standards of Care for youth programs provided by The Link Event & Recreation Center

Motion carried by a vote of 5-0.

3B. Consider Ordinance 1434-21 a zoning text amendment to Chapter 90 of the Comprehensive Zoning Ordinance of the City of Richland Hills by amending Article 3 to allow for Boarding Houses to be an authorized use by right within specified zoning districts and by way of a Specific Use Permit in other specified zoning districts, to establish development standards for Boarding Houses, and to amend Article 8 to add a definition of Boarding House and amend the definition of Single Family PUBLIC HEARING

Candice Edmondson, City Manager presented Ordinance 1434-21 a zoning text amendment to Chapter 90 of the Comprehensive Zoning Ordinance of the City of Richland Hills by amending Article 3 to allow for Boarding Houses to be an authorized use by right within specified zoning districts and by way of a Specific Use Permit in other

specified zoning districts, to establish development standards for Boarding Houses, and to amend Article 8 to add a definition of Boarding House and amend the definition of Single Family.

It was recently brought to the city's attention that boarding houses were being established within the city limits. At the request of City Council, staff worked with the City Attorney to develop requirements that would help guide the use of boarding houses within the Richland Hills community. The proposed zoning text amendments for boarding houses are detailed below.

Amendment 1

The first amendment to Article 3, Section 3.02 "Use Chart" would allow Boarding Houses as an authorized use in the MF-2 - Multiple-Family Residential Medium Density and MF-3 - Multiple-Family Residential High Density zoning districts and by way of a Specific Use Permit (SUP) in the SF-E – Single-Family Residential Estate, SF-10 – Single-Family Residential, and SF-7– Single Family-Residential and MF-1–Two-Family (Duplex) Residential zoning districts by designating the SUP requirement within the Use Chart.

Amendment 2

The second amendment would add subsection (A)(21) under Article 3, Section 3.02.01 "Conditional Development Standards" providing certain requirements for Boarding Houses as listed below.

Boarding House - In addition to any requirements or regulations outlined within the specific use permit, boarding houses shall be subject to the following development standards:

- (a) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such boarding house.
- (b) No sign advertising a home occupation shall be placed on property where a boarding house is located.
- (c) One designated parking space must be provided on the premises for each sleeping unit. Tandem parking spaces are not permitted. A parking plan will be required with the Specific Use Permit request.
- (d) Register and receive annual inspections as outlined:
 - 1. All boarding houses shall be registered annually. If there is any change in occupancy of any sleeping unit longer than three weeks, registration shall be updated at that time.
 - 2. Inspections shall be required annually. It shall be the responsibility of the property owner to request and schedule an inspection at the time of annual registration.

3. The fees for registration and required annual inspection for each boarding house are as shown in the city's fee schedule."

Amendment 3

The third amendment to Article 8, Section 8.01 "Defined Terms" amends the definition of "Family" and adds a definition for "Boarding House".

Boarding House - A dwelling unit where sleeping units are let for a minimum of 28 days, with or without meals, and the dwelling is not occupied as a single-family dwelling. Occupants do not have exclusive access to kitchen and/or bathroom facilities and have limited or no access to non-common areas of the dwelling unit.

Family - One or more person related by blood, marriage, or adoption, or a group not to exceed four persons not all related by blood or marriage, adoption or guardianship, occupying a dwelling unit, but not a boarding house as defined by this code, and living as a single housekeeping unit."

The Planning and Zoning Commission considered the boarding house zoning text amendments at their April 15, 2021 meeting. The Commission expanded the SUP requirement to include the MF-1 Two-Family (Duplex) Residential district and included a minimum duration of 28 days to the definition of Boarding House. The Commission recommended approval 3-2.

Mayor Lopez opened the Public Hearing: Time: 7:32 p.m.

Lou Tennyson, 7036 Hardisty St. spoke against the ordinance.

Linda Gallant, 6713 Park Place spoke against the ordinance.

Stacy Reddy, 7012 Hardisty St. spoke against the ordinance.

Beverly Gotthardt, 7025 Hardisty St. spoke in favor of the ordinance.

Joyce Fiaccone, 3800 Labadie Dr. spoke against the ordinance and suggested tabling.

Randy Wells, 2748 Spruce Park spoke against the ordinance.

Mayor Lopez read emailed comments from Jason Butz, Willow Park who is against the ordinance.

Mayor Lopez read emailed comments from Joan and Roy Hudson, 7024 Hardisty St. who are against the ordinance.

Beverly Gotthardt, 7025 Hardisty St. made additional comments.

Joyce Fiaccone, 3800 Labadie Dr. made additional comments.

John Skier, 7016 Park Place spoke in favor of the ordinance.

Theresa Bledsoe, 2716 Spruce Park spoke in favor of the ordinance.

Don Obiedin, 6708 Park Place spoke against additional boarding houses.

Randy Wells, 2748 Spruce Park made additional comments.

Mayor Lopez closed the Public Hearing: Time: 8:20 p.m.

Council continued their discussion and asked question of the City Attorney.

Motion: Motion was made by Councilmember Knowlton and seconded by Councilmember Alvarez to approve Ordinance 1434-21 a zoning text amendment to Chapter 90 of the Comprehensive Zoning Ordinance of the City of Richland Hills by amending Article 3 to allow for Boarding Houses to be an authorized use by right within specified zoning districts and by way of a Specific Use Permit in other specified zoning districts, to establish development standards for Boarding Houses, and to amend Article 8 to add a definition of Boarding House and amend the definition of Single Family.

Councilmember Bergthold asked Councilmember Knowlton if he would like to amend his motion by adding insurance requirements by both the owner and all residents inside the house on the annual inspection. Councilmember Knowlton approved.

City Secretary called roll:

Councilmember Knowlton - yes
Councilmember Alvarez - yes
Councilmember Morse - yes
Councilmember Bergthold - yes
Councilmember Campbell - yes

Motion carried by a vote of 5-0.

ORDINANCES & RESOLUTIONS AND OTHER RELATED ITEMS

4A. None

CONTRACTS, AGREEMENTS, BID AWARDS AND OTHER RELATED ITEMS

5A. None

OTHER ITEMS FOR CONSIDERATION

6A. None

REPORTS & DISCUSSIONS

7A. Code Enforcement Procedures

Scott Mitchell, Director of Neighborhood Service gave a presentation on Code Enforcement Procedures. Mr. Mitchell outlined the purpose of code enforcement and the educational requirements for code enforcement officers. He provided details of code enforcement efforts, enforcement actions taken to gain compliance and reviewed some of the most common violations.

Don Obeidin, 6708 Park Place spoke regarding a ticket he received from code enforcement with no previous notice. He provided a copy of written comments to City Council.

8. COMMUNITY INTEREST ITEMS

- Link Membership Sale – Now – May 15
- Senior Lunch Bunch Curbside – Thursday, May 13; 12 noon – 1 PM; The Link Parking Lot
- Beep Beep Bingo - Thursday, May 13; 1 PM – 2 PM; The Link Parking Lot
- Tarrant County Food Pantry - Thursday, May 13; 5:30 PM – 7 PM; The Link Parking Lot. Sponsored by Trinity Point Church.
- Red, White & YOU! - Saturday, July 3, 9 AM – 12 Noon, The Link Plaza. Mark your calendars for Saturday, July 3 for the return of Red, White & YOU! including a patriotic parade and many FREE family activities in The Link Plaza.
- Vax Shack at the Animal Shelter – 4th Thursday of each month
- Bulk Waste Collection – May 17

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

10. A motion was made by Councilmember Campbell and seconded by Councilmember Bergthold to adjourn.

Motion carried by a vote of 5-0.

There being no further business to come before the City Council, Mayor Lopez declared the meeting adjourned at 9:23 p.m.

ATTEST

APPROVED

Cathy Bourg, City Secretary

Edward Lopez, Mayor