

**RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
DECEMBER 13, 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
G.W. Estep, Place 5

Council absent

Staff present

Candice Edmondson, City Manager
Cathy Bourg, City Secretary
James Donovan, City Attorney

CITY COUNCIL WORK SESSION – 6:00 PM

1. **Executive Session:** Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.087, 418.183(f) and 418.106(d) & (e). Refer to posted list attached hereto and incorporated herein. **Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council meeting.**

None

2. Recognize Fire Department Coloring Contest Winners

The Fire Department held a coloring contest as part of its grand opening activities for the new fire station. Fire Chief Russell Shelley presented a certificate and a gift card to Sofia Fuentes and Isabelle Gunter. The following is a list of all contest winners:

3-5 years: Sofia Fuentes, Age 5, International Leadership of Texas - NRH

6-8 years: Lyla Stow, Age 6, Lamar Elementary School – Mineral Wells

11-12 years: Isabelle Gunter, Age 11, Alice Carlson Applied Learning Center – Ft. Worth

3. **Discuss Items listed on tonight's City Council agenda. No action will be taken and each item will be considered during the Regular Session.**

7A. Street Improvement Projects Update (Presented prior to item 2)

Scott Mitchell, Director of Neighborhood Services presented a Street Improvement Project Update and answered questions from City Council.

7B. October Department Reports

The following October Department Reports were presented:

- Fire Department – Russell Shelley, Fire Chief
- Code Enforcement – Scott Mitchell, Director of Neighborhood Services
- Police Department – Kim Sylvester, Police Chief
- Animal Services – Kim Sylvester, Police Chief
- Parks and Recreation - Jason Brown, Director of Parks and Recreation

7C. November Department Reports

The following November Department Reports were presented:

- Police Department – Kim Sylvester, Police Chief
- Animal Services – Kim Sylvester, Police Chief
- Parks and Recreation - Jason Brown, Director of Parks and Recreation

5C. Consider contract renewal with Yellowstone Landscaping, LLC for citywide landscape services

Jason Brown, Director of Parks and Recreation presented the contract renewal with Yellowstone Landscaping, LLC for citywide landscape services.

In April 2019, the City of Richland Hills sent out a Request for Proposals (RFP) for citywide landscape services. Three companies responded to the RFP and Yellowstone Landscaping, LLC was awarded the contract based on overall best value.

The contract terms were twelve (12) months with the option to extend the contract for up to four (4) additional years in one (1) year intervals. City Council approved the first renewal in December 2020. Staff has been pleased with Yellowstone's performance this year and recommends renewal of the contract for another year. If approved by City Council, this would be the second renewal of the four (4) additional one (1) year options.

The original contract did include a 3% increase for the second additional year. That increase was included in additional landscape maintenance costs approved by City Council in the FY 2022 Budget.

During the FY 2022 Budget process, City Council approved an additional \$34,000 in contract landscape maintenance to cover the 3% escalation and additional mowing services currently being provided by the Public Works Department. The Council also approved an additional \$16,000 for maintenance of the City's new

hike/bike trail. The additional landscape maintenance funding increases the overall contract value with Yellowstone Landscaping, LLC to \$191,597.

Mayor Lopez called for a break at 6:45 p.m.

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

Pledges of Allegiance

Invocation – Councilmember Douglas Knowlton

Motion: Motion was made by Councilmember Estep and seconded by Councilmember Knowlton to move item 3D up in the agenda.

Motion carried by a vote of 5-0.

3D. Consider Resolution 547-21 regarding the City of Richland Hills participation in Tarrant County's Community Development Block Grant program in response to the COVID-19 pandemic PUBLIC HEARING

Kim Sylvester, Police Chief presented Resolution 547-21 regarding the City of Richland Hills participation in Tarrant County's Community Development Block Grant program in response to the COVID-19 pandemic.

On March 27, 2020, the Coronavirus Aid, Relief and Economic Security Act (CARES Act) made \$5 billion available in supplemental Community Development Block Grant funding to prevent, prepare for, and respond to COVID-19 (CDBG-CV).

Tarrant County has recently announced the availability of supplemental funds for public facilities and infrastructure projects (minimum \$75K to maximum \$250K) and for public service projects (minimum \$50K to maximum \$400K) that serve low to moderate-income residents for the purposes of preventing, preparing for, and/or responding to COVID-19.

Staff recommends a project proposal under this program that will provide broadband infrastructure for greater internet access to Richland Hills' residents and visitors in the qualifying HUD areas: Rosebud Park, Creek Trail Park and the City Hall Plaza area including surrounding City facilities, as well as incorporating security camera coverage in these same areas to enhance crime awareness and/or prevention. These projects are within the examples of eligible projects provided from Tarrant County, and if approved, will enhance the quality of life for residents in Richland Hills by providing readily available internet accessibility as well as increasing security awareness enhancements for public safety.

Upon completion of the public hearing, staff requests Council approve a resolution for participation in the Tarrant County CDBG-CV program. If approved, staff will move forward with the application and proposal as outlined.

Total costs for the project proposal are estimated to be \$209,035 (\$171,326 for broadband infrastructure and \$37,709 for security cameras). The CDBG-CV grant funding maximum is \$250,000. Any costs not covered by the CDBG-CV program could be paid for with the City's disbursement of American Rescue Plan funds or included in the proposed FY 2023 Budget.

Mayor Lopez opened the Public Hearing: Time: 7:08 p.m.

None

Mayor Lopez closed the Public Hearing: Time: 7:08 p.m.

Motion: Motion was made by Councilmember Bergthold and seconded by Councilmember Estep to approve Resolution 547-21 regarding the City of Richland Hills participation in Tarrant County's Community Development Block Grant program in response to the COVID-19 pandemic.

Motion carried by a vote of 5-0.

PRESENTATIONS

1A. Business Spotlight: Bridal Gallery

Angela Campbell Zier introduced her business, Bridal Gallery located at 7255 Glenview Drive and has been in business for over 50 years.

1B. Fire Department Badge Pinning

Firefighter Michael Stephens received his pin and took the Oath of Office for his promotion to Fire Engineer.

Engineer John Daniel received his pin and took the Oath of Office for his promotion to Fire Captain.

1C. Recognition of outgoing City Secretary

Mayor Lopez and the Richland Hills City Council recognized the service of City Secretary Cathy Bourg who is retiring from the City of Richland Hills at the end of the month.

1D. 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.

Stacy Reddy, 7012 Hardisty St. read a letter from Warner Nicholson regarding an animal bite incident on Crites St. resulting in his injuries as well as the death of his dog Opi. Ms. Reddy provided a copy of the letter from Mr. Nicholson as well as a letter from a neighbor who witnessed the incident.

Jason Butz, 2712 Willow Park spoke regarding concerns with his name showing up in various text and email discussions since being in the position of Precinct Chair for 3164.

CONSENT AGENDA

2A. Approve minutes from the November 8, 2021 City Council Regular Meeting

2B. Approve Ordinance 1442-21 reappointing J. Stewart Bass as Municipal Court Judge and Lorraine Irby and Wendy Cooper as Associate Municipal Court Judges for two-year terms to expire December 31, 2023

2C. Approve extension of Bank Depository Contract with JPMorgan Chase Bank, N.A. for a ninety (90) day period

Motion: Motion was made by Councilmember Knowlton 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 1441-21 a zoning change request from MF-1 Two-Family (Duplex) Residential to Planned Development for the properties described as lot 5, Block 3, McCoy Addition to Richland Hills, Tarrant County, Texas otherwise known as 3800 Cagle Drive, Richland Hills, Texas 76118 and 3802 Cagle Drive, Richland Hills, Texas 76118 PUBLIC HEARING

Logan Thatcher, Assistant to the City Manager presented a zoning change request from MF-1 Two-Family (Duplex) Residential to Planned Development for the properties described as lot 5, Block 3, McCoy Addition to Richland Hills, Tarrant County, Texas otherwise known as 3800 Cagle Drive, Richland Hills, Texas 76118 and 3802 Cagle Drive, Richland Hills, Texas 76118.

The applicants for this zoning change are Louisa Magee and Gemma Parrish. Louisa Magee owns 3802 Cagle Drive while Gemma Parrish owns 3800 Cagle Drive. They are requesting a zoning change from MF-1 Two-Family (Duplex) Residential through a planned development to retain MF-1 Two-Family (Duplex) residential use. Louisa Magee would like to sell her property; however, the duplex is currently platted as one lot attached to Gemma Parrish's property. In order to sell the property, she does need to separate her side of the property that she owns.

Lot 5R1 (3802 Cagle Dr.) also does not meet the accessory structure setback of 5 feet from the property line. They are proposing an accessory structure setback of 4.7 feet. Because both accessory structures back up to each other both properties are proposing a zero-lot line setback for their accessory structures. This is the process the applicant can go through in order to get the property conforming to meet the zoning code that will allow them to replat.

Mayor Lopez opened the Public Hearing: Time: 7:52 p.m.

Applicant, Louisa Magee spoke regarding the zoning change request.

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

Motion: Motion was made by Councilmember Estep and seconded by Councilmember Bergthold to approve Ordinance 1441-21 a zoning change request from MF-1 Two-Family (Duplex) Residential to Planned Development for the properties described as lot 5, Block 3, McCoy Addition to Richland Hills, Tarrant County, Texas otherwise known as 3800 Cagle Drive, Richland Hills, Texas 76118 and 3802 Cagle Drive, Richland Hills, Texas 76118.

Motion carried by a vote of 4-1. Councilmember Knowlton against.

3B. Consider a replat for the property described as Lot 5, Block 3, McCoy Addition to Richland Hills, Tarrant County, Texas otherwise known as 3800 Cagle Drive, Richland Hills, Texas 76118 and 3802 Cagle Drive, Richland Hills, Texas 76118 PUBLIC HEARING

Logan Thatcher, Assistant to the City Manager presented a replat for the property described as Lot 5, Block 3, McCoy Addition to Richland Hills, Tarrant County, Texas otherwise known as 3800 Cagle Drive, Richland Hills, Texas 76118 and 3802 Cagle Drive, Richland Hills, Texas 76118.

Mayor Lopez opened the Public Hearing: Time: 7:57 p.m.

None

Mayor Lopez closed the Public Hearing: Time: 7:57 p.m.

Motion: Motion was made by Councilmember Morse and seconded by Councilmember Estep to approve a replat for the property described as Lot 5, Block 3, McCoy Addition to Richland Hills, Tarrant County, Texas otherwise known as 3800 Cagle Drive, Richland Hills, Texas 76118 and 3802 Cagle Drive, Richland Hills, Texas 76118.

Motion carried by a vote of 4-1. Councilmember Knowlton against.

- 3C. Consider Ordinance 1439-21 a zoning change on the property described as Popplewell, S Survey Abstract 1241 Tract 1E, Tarrant County, Texas otherwise known as 7100 Baker Boulevard, Richland Hills, Texas 76118 and Greenfield Subdivision-Rchld Lots 4, 5, 6 and 7, Tarrant County, Texas otherwise known as 3209 Ash Park Drive, Richland Hills, Texas 76118 from Mixed Use (MX) to Planned Development No. 2021-0639 with MF-2 multiple family residential medium density uses and with certain modifications to the Code of Ordinances PUBLIC HEARING (Developer has requested to table item until January 10, 2022)**

Motion: Motion was made by Councilmember Knowlton and seconded by Councilmember Morse to table item to the January 10, 2022 City Council meeting.

Motion carried by a vote of 5-0.

Candice Edmondson, City Manager answered questions from Council regarding the development.

Logan Thatcher, Assistant to the City Manager provided an update on the development.

- 3D. Consider Resolution 547-21 regarding the City of Richland Hills participation in Tarrant County's Community Development Block Grant program in response to the COVID-19 pandemic PUBLIC HEARING**

Item was moved up in the agenda following the Invocation.

ORDINANCES & RESOLUTIONS AND OTHER RELATED ITEMS

- 4A. Consider Resolution 546-21 authorizing the casting of the City of Richland Hills' allocated votes for appointment on the Tarrant Appraisal District Board of Directors**

Mayor Lopez presented information regarding authorizing the casting of the City of Richland Hills' allocated votes for appointment on the Tarrant Appraisal District Board of Directors.

Mayor and Council discussed the following nominees: Jungus Jordan, Joseph Ralph Martinez and Rich DeOtte.

Motion: Motion was made by Councilmember Morse to cast all 5 of the City of Richland Hills' allocated votes to Mr. Jungus Jordan for appointment on the Tarrant Appraisal District Board of Directors.

Motion died for lack of a second.

Motion: Motion was made by Councilmember Alvarez and seconded by Councilmember Bergthold to cast all 5 of the City of Richland Hills' allocated

votes to Mr. Joseph Ralph (J.R.) Martinez for appointment on the Tarrant Appraisal District Board of Directors.

Motion carried by a vote of 4-1. Councilmember Morse against.

Motion: Motion was made by Councilmember Bergthold and seconded by Councilmember Knowlton to reconsider the previous motion to cast all 5 of the City of Richland Hills' allocated votes to Mr. Joseph Ralph (J.R.) Martinez for appointment on the Tarrant Appraisal District Board of Directors.

Motion carried by a vote of 3-2. Councilmember Alvarez and Councilmember Estep against.

Motion: Motion was made by Councilmember Alvarez and seconded by Councilmember Estep to cast all 5 of the City of Richland Hills' allocated votes to Mr. Joseph Ralph (J.R.) Martinez for appointment on the Tarrant Appraisal District Board of Directors.

Motion failed by a vote of 2-3. Councilmember Knowlton, Councilmember Morse and Councilmember Bergthold against.

Motion: Motion was made by Councilmember Bergthold and seconded by Councilmember Knowlton to cast all 5 of the City of Richland Hills' allocated votes to Mr. Rich DeOtte for appointment on the Tarrant Appraisal District Board of Directors.

Motion carried by a vote of 3-2. Councilmember Alvarez and Councilmember Estep against.

Motion: Motion was made by Councilmember Knowlton and seconded by Councilmember Bergthold to approve Resolution 546-21 authorizing the casting of the City of Richland Hills' allocated votes for appointment on the Tarrant Appraisal District Board of Directors.

Motion carried by a vote of 3-2. Councilmember Alvarez and Councilmember Estep against.

CONTRACTS, AGREEMENTS, BID AWARDS AND OTHER RELATED ITEMS

5A. Consider appointment of City Secretary

Candice Edmondson, City Manager presented information regarding the appointment of the new City Secretary. Current City Secretary Cathy Bourg will be retiring at the end of the month. In October, the City began the recruitment process for a new City Secretary. After reviewing applications from qualified candidates and conducting interviews, the City Council extended a conditional offer to Lindsay Wells. Ms. Wells accepted the conditional offer and will be appointed as City Secretary following formal approval by City Council.

Motion: Motion was made by Councilmember Knowlton and seconded by Councilmember Morse to appoint Lindsay Wells as City Secretary for the City of Richland Hills effective January 3, 2022.

Motion carried by a vote of 5-0.

5B. Consider Development Agreement for the Baker Landing Planned Development (PD) at 7100 Baker Boulevard and 3209 Ash Park Drive Richland Hills, Texas 76118 (Developer has requested to table item until January 10, 2022)

Motion: Motion was made by Councilmember Morse and seconded by Councilmember Estep to table item to the January 10, 2022 City Council meeting.

Motion carried by a vote of 5-0.

5C. Consider contract renewal with Yellowstone Landscaping, LLC for citywide landscape services

Item was discussed during Work Session under item #3.

Motion: Motion was made by Councilmember Morse and seconded by Councilmember Bergthold to approve contract renewal for a second additional year with Yellowstone Landscaping, LLC for citywide landscape services in the amount of \$191,597.

Motion carried by a vote of 5-0.

OTHER ITEMS FOR CONSIDERATION

6A. None

REPORTS & DISCUSSIONS

7A. Street Improvement Projects Update

Item was discussed during Work Session.

7B. October Department Reports

Item was discussed during Work Session under item #3.

7C. November Department Reports

Item was discussed during Work Session under item #3.

COMMUNITY INTEREST ITEMS

- The Link Membership Sale – December 15th – January 15th; The Link
 - Senior Lunch Bunch – Indoor Seating & To Go Orders - Thursday, January 13th; 12 noon – 1 PM; The Link
 - Tarrant County Food Pantry - Thursday, January 13th; 5:30 PM – 7PM; The Link Parking Lot
 - Richland Hills Literary Society Book Club – Thursday, December 16th, 6:30 PM.; Carol Bergthold's House
 - Evening Storytime – Thursday, December 16th, 6:30 – 7 PM; Children's Area Inside Library
8. **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

9. **A motion was made by Councilmember Bergthold and seconded by Councilmember Alvarez 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 8:31 p.m.

ATTEST

APPROVED

Cathy Bourg, City Secretary

Edward Lopez, Mayor