

**RICHLAND HILLS CITY COUNCIL  
JOINT MEETING WITH P&Z AND  
REGULAR CITY COUNCIL MEETING  
MAY 14, 2018  
MINUTES**

Roll Call:

Council present:

Bill Agan, Mayor  
Travis Malone, Place 1  
Allison Barger, Mayor Pro Tem  
Curtis A Bergthold, Place 3  
Roland Goveas, Place 4  
Athena Campbell, Place 5

Council absent:

Staff

Eric Strong, City Manager  
Cathy Bourg, City Secretary  
James Donovan, City Attorney

**CITY COUNCIL WORK SESSION – Mayor Bill Agan Called the Work Session to Order – Time 6:10 p.m.**

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

Eric Strong, City Manager introduced the following items for discussion:

- 4A. Consider Ordinance 1348-18 to amend Chapter 91, Section 100-Screening and Fencing. (Presented by Jason Moore, Assistant City Manager)
- 4B. Consider Ordinance 1355-18 to amend Chapter 34 by adding Section 34-32 "Bamboo Restrictions". (Presented by Eric Strong, City Manager)
- 2B. Consider Ordinance 1350-18 amending the traffic sign regulations. (Presented by Scott Mitchell, Director of Neighborhood Services)

## **JOINT MEETING WITH PLANNING AND ZONING COMMISSION**

### Council present:

Bill Agan, Mayor  
Travis Malone, Place 1  
Allison Barger, Mayor Pro Tem  
Curtis A Bergthold, Place 3  
Roland Goveas, Place 4  
Athena Campbell, Place 5

### P&Z present:

Kyle LaPointe, Chair  
Sherry Utchell, Place 2  
Jackson Durham, Place 3  
Ricky Head, Place 5  
Michael Wilson, Alternate

### **JM1. City Council and Planning Zoning Call to Order**

Mayor Bill Agan Called to Order – Time 7:00 p.m.

Chair Kyle LaPoint Called to Order – Time 7:00 p.m.

### **JM2. Invocation and Pledge of Allegiance**

Invocation – Mayor Agan

Pledge of Allegiance

**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).**

**Motion:** Motion was made by Councilmember Barger, and seconded by Councilmember Campbell to convene into executive session.

Motion carried by a vote of 5-0. Time: 7:02 p.m.

Mayor Agan reconvened into open session. Time: 7:17 p.m.

James Donovan, City Attorney explained the public hearing and consideration process for the joint meeting.

### **JM3. Conduct Joint Public Hearing for Ordinance 1356-18 amending Chapter 90 of the Zoning Ordinance to provide for a zoning text amendment to include an Entertainment Overlay District.**

Eric Strong, City Manager presented Ordinance No. 1356-18, to amend Chapter 90 by amending Article 2 to create the Entertainment District Overlay (EDO) zoning district, changing the zoning of Richland Industrial Park, Lots 25A and 25R, and amending Article 3 to add uses for the EDO District; and providing for the amendment of the official zoning map to reflect such changes.

Mayor Agan Opened the Public Hearing. Time: 7:20 p.m.

No Speakers

Mayor Agan Closed the Public Hearing. Time: 7:21 p.m.

**JM4. Planning and Zoning consideration of recommendation to the City Council for a text amendment to include an Entertainment Overlay District.**

**Motion:** Motion was made by Member Ricky Head, and seconded by Member Sherry Utchell to approve.

Motion carried by a vote of 5-0.

**JM5. City Council consideration of a text amendment to include an Entertainment Overlay District.**

**Motion:** Motion was made by Councilmember Malone, and seconded by Councilmember Campbell to approve.

Motion carried by a vote of 5-0.

**JM6. Conduct Joint Public Hearing Ordinance 1356-18 amending Chapter 90 of the Zoning Ordinance to provide for a zoning map amendment to include an Entertainment Overlay District.**

Mayor Agan Opened the Public Hearing. Time: 7:23 p.m.

No Speakers

Mayor Agan Closed the Public Hearing. Time: 7:24 p.m.

**JM7. Planning and Zoning consideration of recommendation to the City Council to amend Chapter 90 of the Zoning Ordinance to provide for a zoning map amendment to include an Entertainment Overlay District.**

**Motion:** Motion was made by Member Ricky Head, and seconded by Member Jackson Durham to approve and bring back to the next P&Z meeting an item for consideration to add additional properties to the Entertainment Overlay District down to Burns St. and over to Handley-Ederville Rd..

Motion carried by a vote of 5-0.

**JM8. City Council consideration of an amendment to Chapter 90 of the Zoning Ordinance to provide for a zoning map amendment to include an Entertainment Overlay District.**

**Motion:** Motion was made by Councilmember Barger, and seconded by Councilmember Malone to approve.

Motion carried by a vote of 5-0.

**JM9. Planning and Zoning Adjournment.**

Kyle LaPointe adjourned the P&Z meeting. Time: 7:26 p.m.

**ELECTION RELATED ITEMS**

**E1. Approve Ordinance 1349-18 canvassing the results of the May 2018 General Election.**

Eric Strong, City Manager presented Ordinance 1349-18, canvassing the results of the May 5, 2018 General Election. The results are as follows:

Edward Lopez  
has been elected to Mayor

Allison Barrette Barger  
has been elected to City Council, Place 2

Roland Goveas  
has been elected to City Council, Place 4

**Motion:** Motion was made by Councilmember Campbell, and seconded by Councilmember Malone to approve.

Motion carried by a vote of 5-0.

**E2. Swearing in of Mayor and City Council Members.**

Cathy Bourg, City Secretary administered the Oath of Office to Edward Lopez - Mayor, Allison Barger - City Council Place 2 and Roland Goveas - City Council Place 4.

**E3. Recognition of Mayor Bill Agan. (Presented by Eric Strong, City Manager and Mayor Lopez)**

Mayor Agan has served as Mayor for the past six years. During that time, there has been a significant amount of progress made in Richland Hills. Some, although certainly not all, of the things that have been accomplished under the leadership of Mayor Agan include:

- Started Senior Lunch Bunch
- Started a Citizen Fire Academy
- Significant Library Renovations through Grants

- Started holding TCC classes at the Community Center/Library
- Attracted Family Dollar on Blvd 26
- Attracted Walmart
- Buyers Barricade
- Reached agreement to help Advanced Glass to expand in the City
- Attracted Smith Lawn and Tree
- Completed Phase 1 of the Green Ribbon Project – which added landscaping along Baker Blvd. with grant funds.
- Reconstructed Pine Park, including curb and gutter
- Installed over 3 miles of sidewalks using federal funds
- Matthews Drainage project
- Completed an updated Comprehensive Plan and Zoning Ordinance
- Completed a master plan for revitalization of city parks
- Redeveloped the Conti Building and attracted Venture Roofing, Fastenal, Rugby Architectural and other businesses
- Finished a master plan for the City Complex, including the new Recreation Center.
- Completed Phase 2 of the Green Ribbon Project – which completed landscaping along Baker Blvd. with grant funds.
- Reconstructed portions of Popplewell.
- Renewed the CCPD sales tax
- Renovations at Fire Station
- Purchased a new Fire Truck and Ambulance
- Replaced approximately several thousand linear feet of curb and gutter
- Reconstructed portion of Vance Road
- Completed Kingsbury drainage project
- Completed Sewer Line replacement and construction of new lift station
- Attracted Advanced Auto Parts
- Bond approved for the construction of new recreation center
- Reconstructed portions of Pine Park, Sue, Faye, Rosebud, Lavon, Kingsbury, Park Place and Scruggs Park
- Rehabilitated portions of the street on Kingsbury, Hardisty, Glenn Hills, Scranton and Labadie
- Rehabilitated almost 50 homes through the 6Stones program.
- Renovations at Kate Baker Park
- Energy Efficient improvements at City Hall, Library, Public Works
- Launched a new transportation service
- Oversaw concepts, design, construction and opening of the Link
- Baker Blvd Project
- Trail Project Grant
- Built the Link Plaza
- Built the Veteran's Memorial
- Saw sales tax increase by approximately 75%

As noted above, these are not all of the accomplishments, but they are some of the more significant ones. We sincerely appreciate the leadership and guidance that Mayor Agan has provided to this City during his tenure as Mayor.

#### **E4. Election of Mayor Pro Tem.**

**Motion:** Motion was made by Councilmember Bergthold, and seconded by Councilmember Goveas to elect Councilmember Barger as Mayor Pro Tem for 2018-2019.

Motion carried by a vote of 5-0.

### **PRESENTATIONS**

#### **1A. Citizen Appearances/Public Comments**

**Citizen Appearances/Public Comments**  
(Citizens who have signed a card to speak to the City Council will 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.)

No Speakers

### **CONSENT AGENDA**

**2A. Approval of minutes from the April 23, 2018 City Council Meeting.**

**2B. Consider Ordinance 1350-18 amending the traffic sign regulations.**

Item was discussed during the work session, under item 2.

**Motion:** Motion was made by Councilmember Goveas, and seconded by Councilmember Bergthold to approve the consent agenda.

Motion carried by a vote of 5-0.

### **PUBLIC HEARINGS, MEETINGS, AND OTHER RELATED ITEMS**

**3A. Public Hearing and Consideration of Ordinance 1351-18 to approve a special use permit for the operation of a Body Art Studio at 7207 Latham Drive.**

Eric Strong, City Manager presented Ordinance 1351-18 to grant a special use permit for the operation of a Body Art Studio at 7207 Latham Drive. The Planning and Zoning commission held a public hearing on April 17<sup>th</sup> and recommended approval to the City Council 5 to 0 in favor of this SUP in accordance with the site plan submitted and with the provision that the western landscape bed be xeriscaped without a requirement for irrigation and the dumpster be enclosed in fencing per city ordinance.

Mayor Lopez Opened the Public Hearing. Time: 7:40 p.m.

The applicants, Jack and Kat Terrell, 7207 Latham Drive, spoke seeking approval of an SUP to operate a body art studio at the property. The applicant answered question regarding the property improvements and a time frame to complete. Applicant stated that 6 months would be the maximum time frame to repave and stripe the parking lot, remove some post and fencing and landscape improvements.

Chris Utchell, 2809 Willow Park Dr. spoke in favor of the Body Art Studio and applicants.

Gordon Slagle, 7186 Baker Blvd. spoke in favor of the Body Art Studio and applicants.

Kyle LaPointe, 7114 Hovenkamp spoke in favor of the Body Art Studio and applicants.

The applicants answered additional questions regarding business operations.

Doug Knowlton, 2749 Spruce Park suggested Council specify exactly what they can do with the SUP.

Tom and Glenda Gardenhire, 330 Loraine St., Keller spoke in favor of the Body Art Studio and applicants.

Julie Asbill, 12500 Pipeline, Euless spoke in favor of the Body Art Studio and applicants.

Justin Odean, Fort Worth, spoke in favor of the Body Art Studio and applicants.

Chandler, applicants receptionist, 4499 Fossil Vista Dr. spoke in favor of the Body Art Studio and applicants.

Mayor Agan Closed the Public Hearing. Time: 8:20 p.m.

**Motion:** Motion was made by Councilmember Campbell, and seconded by Councilmember Bergthold to approve with the following conditions:

1. Install landscaping, overlay parking lot with asphalt, restripe parking lot, install new concrete drive approach and remove pipe fencing per attached site plan within 180 days of issuance of Temporary Certificate of Occupancy;
2. Install refuse (dumpster) screening per City ordinance;

3. Hours of operation are limited to 9:00AM to 10:00PM, Sunday through Saturday; &
4. All parking must occur on site and in approved parking spaces.

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

Mayor Lopez called for a short break. Time: 8:37 p.m.

**3B. Public Hearing and Consideration of Ordinance 1352-18 to approve a special use permit for the operation of a Community Center at 3313 Crites Street.**

Jason Moore, Assistant City Manager presented Ordinance 1352-18 to grant a special use permit for the operation of a Community Center at 3313 Crites Street. The Planning and Zoning commission held a public hearing on May 1<sup>st</sup> and recommended approval to the City Council 4 to 0 in favor of this SUP with the provision that no client service activities shall take place after 9:00 p.m.

Russell Shelley, Fire Chief stated that the Fire Department would have access to the property and would operate from the roadway in the event of a fire at this location.

Mayor Lopez Opened the Public Hearing. Time: 8:57 p.m.

The applicant, Brenda Jackson, 9125 Rumfield Rd., North Richland Hills and Larry Coils, 3725 Murphy Dr. Bedford, President of the Board spoke seeking approval of an SUP to operate a non-profit called "I Can Still Shine". Their proposed use includes offering clients services for women and children related to food, clothing, furniture, toys for Christmas, and household items. The food bank portion of this operation consists of boxed meals and canned goods. If approved, they would also plan to add ESL classes, computer classes and group counseling for kids.

Mayor Agan Closed the Public Hearing. Time: 9:05 p.m.

- Motion:** Motion was made by Councilmember Bergthold, and seconded by Councilmember Malone to approve with the following conditions:
1. Hours of operation shall be limited to 9:00AM to 9:00PM Sunday through Saturday; &
  2. No on-street parking.

Motion carried by a vote of 5-0.

**3C. Public Hearing and Consideration of Ordinance 1353-18 to approve a planned unit development zoning at 2500 Austin Road.**

Eric Strong, City Manager presented Ordinance 1353-18 to amend Chapter 90 and rezone Block 2R1 Lot B of the Richland Gardens Addition, Richland Hills, Texas, also known as 2500 Austin Road, from Industrial (I) to a Planned Unit Development (PUD).



The applicant, Andy Hickson, owns a swimming pool plastering company in Haltom City that he would like to move to Richland Hills. He has a contract on the 3.3 acre lot at the southeast corner of Austin Road and Midway that is currently zoned Industrial (I). In addition to his own business, he would like to build 4 spec buildings to lease to other businesses. He is requesting a change to planned development zoning in order to make some modifications to the development regulations and to specify some business types that are not currently allowed in our zoning ordinance.

Mayor Lopez Opened the Public Hearing. Time: 9:18 p.m.

The applicant, Andy Hickson, 1605 Crestwood, Keller spoke seeking approval of the rezone of the property at 2500 Austin Road to Planned Unit Development. The property has drainage challenges and Mr. Hickson requested that the City consider contributing to a drainage system to mitigate the issue.

Ricky Head, 3208 Kingsbury Ave., spoke in favor of the rezone to Planned Unit Development.

Mayor Agan Closed the Public Hearing. Time: 9:46 p.m.

**Motion:** Motion was made by Councilmember Malone, and seconded by Councilmember Bergthold to approve.

Motion carried by a vote of 5-0.

**3D. Public Hearing and Consideration of Ordinance 1354-18 to amend Chapter 90 of the Zoning Ordinance to provide for a zoning text amendment to allow a guesthouse in the SF-10 Zoning District with approval of a specific use permit and conditional development standards.**

Eric Strong, City Manager presented Ordinance 1354-18 to amend Chapter 90 of the Zoning Ordinance to provide for a zoning text amendment to allow a guesthouse in the SF-10 Zoning District with approval of a specific use permit and conditional development standards.

Mayor Lopez Opened the Public Hearing. Time: 9:49 p.m.

No Speakers

Mayor Agan Closed the Public Hearing. Time: 9:49 p.m.

Mayor Lopez Reopened the Public Hearing. Time: 9:56 p.m.

Doug Knowlton, 2749 Spruce Park spoke

Mayor Agan Closed the Public Hearing. Time: 9:57 p.m.

**Motion:** Motion was made by Councilmember Barger, and seconded by Councilmember Malone to approve.

Motion carried by a vote of 5-0.

#### **ORDINANCES & RESOLUTIONS AND OTHER RELATED ITEMS**

##### **4A. Consider Ordinance 1348-18 to amend Chapter 91, Section 100-Screening and Fencing.**

Item was discussed during the work session, under item 2.

Doug Knowlton, 2749 Spruce Park suggested to not get to restrictive on the fencing ordinance.

**Motion:** Motion was made by Councilmember Bergthold, and seconded by Councilmember Malone to approve Ordinance 1348-18, by adding that a permit is required for any linear feet of fence over 50 feet and adding the word "tall" after 30".

Motion carried by a vote of 5-0.

##### **4B. Consider Ordinance 1355-18 to amend Chapter 34 by adding Section 34-32 "Bamboo Restrictions".**

Item was discussed during the work session, under item 2.

**Motion:** Motion was made by Councilmember Goveas, and seconded by Councilmember Barger to table.

Motion carried by a vote of 5-0.

#### **CONTRACTS, AGREEMENTS, BID AWARDS AND OTHER RELATED ITEMS**

##### **5A. Consider contract with Axon for public safety camera systems**

Kim Sylvester, Interim Chief of Police presented a contract for the purchase of in car and body camera systems and installation for the Richland Hills Police Department via Quote Q-164484-43223.653TR, as offered by Axon Enterprise, Inc. (BuyBoard Vendor) in the amount of \$150,000 using the Texas Buyboard Contract #500-15.

**Motion:** Motion was made by Councilmember Goveas, and seconded by Councilmember Barger to approve.

Motion carried by a vote of 5-0.

## **OTHER ITEMS FOR CONSIDERATION**

### **6A. None at this time.**

## **REPORTS & DISCUSSIONS**

### **7A. Welcome from Mayor Ed Lopez and discussion on Goals and Objectives**

Mayor Lopez expressed what an honor it is to serve and represent the citizens of Richland Hills as Mayor. He assured that this Council will be guided by the cities Master Plan and actively listen and achieve understanding to everyone's concerns. The concerns of the citizens become the challenges of this Council. Mayor Lopez listed some of those concerns and requested they be discussed at the next meeting.

- Due to the increase in property values, what is the city doing to keep taxes low?
- Neighborhoods feel threatened by new development and redevelopment, so what are we doing to insure we are protecting our healthy neighborhoods?
- City codes need clarity to keep our neighborhoods healthy and improve the quality of our life.
- Need to improve communication and accessibility with city leaders.
- What are we doing about the improvement to our neighborhood streets?
- What is the status of the ½ cent sales tax?

### **8. COMMUNITY INTEREST ITEMS**

- Lunch Bunch – 2<sup>nd</sup> Thursday of each month
- Casino Trip – May 29<sup>th</sup> at 8am for \$10
- Anniversary Membership Sale
  - Pick your Perk with purchase of a Paid in Full Annual membership
    - Free Childcare – Two weeks of summer camp or \$200 off Afterschool Program
    - Or 20% General Membership – Purchase any membership at charter rates
    - Or Group Exercise – 12 months of group exercise free
  - Extended to May 31 – see Link Staff for more information
- Bulk Waste Collection – May 21<sup>st</sup>
- Animal Shelter Annual Yard Sales – May 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup>
- Richland Hills Connect – Class on Chickens 101 on June 2<sup>nd</sup> from 10am to 2pm 3208 Kingsbury
- Cooking with Cops – May 17<sup>th</sup> at 4pm
- Early Voting for Primary Runoffs started today – check the Tarrant County Elections website for locations – Election Day Tuesday, May 22<sup>nd</sup>

### **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.

- 10. A motion was made by Councilmember Bergthold, and seconded by Councilmember Goveas to adjourn. Motion passed 5-0.**

There being no further business to come before the City Council, Mayor Lopez declared the meeting adjourned at 10:18 p.m.

**ATTEST**

**APPROVED**

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Cathy Bourg, City Secretary

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Edward Lopez, Mayor