

**RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
JANUARY 19, 2016
MINUTES**

Roll Call:

Council present:

Bill Agan, Mayor

Allison Barrette, Place 2
Robert DeSoto, Place 3
Beverly Williams, Place 4
Edward Lopez, Mayor pro-tem

Council Absent:

Roland Goveas, Place 1

Staff

Eric Strong, City Manager
Cathy Bourg, City Secretary
Betsy Elam, City Attorney

WORK SESSION – Mayor Bill Agan Called to Order – Time 6:00 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).**

Motion: Motion was made by Councilmember Lopez, and seconded by Councilmember DeSoto to convene into executive session. Time 6:01 p.m.

Motion carried by a vote of 3-0. Councilmember Goveas absent and Councilmember Williams not present in Chamber.

Mayor Agan reconvened into open session. Time: 6:38 p.m.

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

Eric Strong, City Manager presented the following agenda items:

- 2C. Future status of the current Community Center Building. Staff's recommendation to City Council is to consider adopting Resolution 455-16, calling for the demolition of the existing Community Center Building and associated pavement this coming April 2016.

- 2D. Request by Allied Waste to increase commercial and industrial rates by 6%.
- 4A. Resolution 453-16, adopting budget guidelines for the Crime Control Prevention District, Type B Economic Development and Hotel Occupancy Tax Funds.
- 4B. Resolution 457-16, regarding the naming of the new Richland Hills activities facility and surrounding spaces.

Mayor Agan called for a break at 6:57 p.m.

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

Invocation – Mayor Agan

Pledge of Allegiance – Led by Councilmember Barrette

PRESENTATIONS

1A. Citizen Appearances/Public Comments

No speakers

CONSENT AGENDA

- 2A. **Approval of minutes from the January 5, 2016 Regular City Council meeting.**
- 2B. **Approve resolution 454-16 supporting a Municipal Setting Designation application to the Texas Commission on Environmental Quality (TCEQ) for property located at 711 West Hurst Blvd., Hurst, Texas.**
- 2C. **Approval of resolution 455-16 regarding the future status of the current community center building.**

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

- 2D. **Approval of request by Allied Waste for increase in commercial and industrial rates by 6%.**

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

Motion: Motion was made by Councilmember Lopez, and seconded by Councilmember DeSoto to approve all consent agenda items.

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

PUBLIC HEARINGS, MEETINGS, AND OTHER RELATED ITEMS

3A. Conduct a public hearing and consider approval of resolution 456-16 approving the CDBG 41st Year Project Application.

Scott Mitchell, Director of Neighborhood Services presented to council a resolution approving and endorsing the 41st year Community Development Block Grant Program. The project is for the replacement of 1,160 line feet of sanitary sewer pipe, 17 service connections and three manholes in the 2800 and 2900 Blocks of Fir Park Drive.

Mayor Agan opened the public hearing: Time 7:10 p.m.

No speakers

Mayor Agan closed the public hearing: Time 7:10 p.m.

Motion: Motion was made by Councilmember DeSoto, and seconded by Councilmember Lopez to approve.

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

3B. Public Hearing and consideration of ordinance 1303-15, a specific use permit to permit operation of a contracting business (MCL Contracting) with outside storage. The property, zoned Light Commercial (L-C), is located at 7324 Baker Blvd.

Jason Moore, Assistant to the City Manager presented to council a specific use permit to permit operation of a contracting business (MCL Contracting) with outside storage. The property, zoned Light Commercial (L-C), is located at 7324 Baker Blvd. The Planning and Zoning Commission voted to recommend approval with a minor change of tree type, staff recommends denial based on the proximity the proposed outside storage would be to Baker Boulevard. While the 2014 Comprehensive Plan identifies open storage as being sought after along Baker Blvd, in staff's opinion, the intent of the Comprehensive Plan does not indicate that open storage be allowed on its own parcel. This proposal includes open storage as a use on a separate parcel from the main building, even though it would be considered part of their business operations. The applicant has submitted early plans to replat the property but that would not change the fact that open storage would front Baker Blvd. Furthermore, the 2014 Comprehensive plan does mention the allowance of outside storage within light commercial districts with an approved SUP, even along the Baker Blvd corridor.

Mayor Agan opened the public hearing: Time 7:17 p.m.

Applicants for the request, Megan and Kyle LaPointe, 7114 Hovenkamp Ave., Richland Hills, gave a presentation to council in support of their SUP request to permit operation of a contracting business (MCL Contracting) with outside storage. The general concept and request for the presentation included:

- Discontinue illegal use of parking in the front of the 7324 building to ensure compliance with the future TxDOT plans for a turn lane to Handley Ederville.
- Use the 7218 Baker Blvd property to extend the parking for the building and allow for parking of small trailers and storage of small tools.
- Fence off the property at 7218 Baker Blvd and provide large scale landscaping beautification to both 7218 and 7324.
- Paint and clean up the outside of the building at 7324 Baker Blvd.
- Expand and beautify the Baker Blvd corridor per the requirements laid out in the 2014 Comprehensive Master Plan.

Mayor Agan closed the public hearing: Time 7:44 p.m.

Motion: Motion was made by Councilmember Lopez, and seconded by Councilmember DeSoto to deny.

Motion carried by a vote of 3-1. Councilmember Williams against and Councilmember Goveas absent.

3C. Public Hearing and consideration of ordinance 1304-16, a specific use permit (Smith Tree and Lawn) to permit operation of a landscaping business with outside storage. The property, zoned Light Commercial (L-C), is located 3200 Handley Ederville Rd.

Jason Moore, Assistant to the City Manager presented to council a specific use permit (Smith Tree and Lawn) to permit operation of a landscaping business with outside storage. The property, zoned Light Commercial (L-C), is located 3200 Handley Ederville Rd. The Planning and Zoning Commission recommended approval with the following conditions: 1) The SUP process requires a survey plat with the metes and bounds description and the legal description be submitted for review. 2) The SUP process requires that a site plan be drawn to scale and submitted for review by city staff and the Planning and Zoning Commission. It is a good idea to show any additional landscaping on the plan. 3) Approval with contingencies of add site lighting to storage areas, provide an emergency access gate with Knox lock at north property line, masonry or vinyl screening wall is required. Planning and Zoning stated wood fence would be appropriate as screening fence. Staff would recommend approval of the SUP request with the condition that the Screening/Fencing Ordinance be met for the expanded property. The 2014 Zoning Ordinance specifically prohibits the use of wood as a fence material for non-residential districts. The Council may consider the use of wood fencing with a vegetative screen as an extension of the applicant's existing fence, but staff would recommend against that.

Mayor Agan opened the public hearing: Time 8:03 p.m.

Applicant, Judd Smith gave a presentation to council in support of a SUP request to permit operation of a landscaping business (Smith Tree and Lawn) with outside storage at 7350 Baker Boulevard.

Mayor Agan closed the public hearing: Time 8:14 p.m.

Motion: Motion was made by Councilmember Lopez, and seconded by Councilmember DeSoto to deny.

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

3D. Public Hearing and consideration of amending the City's Zoning Ordinance by amending Section 4.02 to allow for larger carports in non-residential districts; adding carport regulations for multiple family districts; amending Section 8 by amending the definition of "Carport"; amending Section 4.02 and Section 6.13 to create a special exception to allow the Zoning Board of Adjustment to approve a larger carport under certain circumstances.

Eric Strong, City Manager gave a presentation regarding recommendation from the Planning and Zoning Commission for an update of the Code of Ordinances, Chapter 90 – Zoning, specifically Section 4.02.01 (C) defining Residential District Carports and adding 4.02.01 (D) defining Nonresidential District Carports and Section 8 concerning Definition of Carport.

Mayor Agan opened the public hearing: Time 8:03 p.m.

Michael O'Brien, 6822 Hardisty, Richland Hills spoke on behalf of the Messiah Baptist Church. Mr. O'Brien would like for the ordinance to have an option that would allow for larger carports under certain circumstances.

Mayor Agan closed the public hearing: Time 8:14 p.m.

Motion: Motion was made by Councilmember Lopez, and seconded by Councilmember Barrette to deny the recommendation from the Planning and Zoning Commission.

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

ORDINANCES & RESOLUTIONS AND OTHER RELATED ITEMS

4A. Consideration of resolution 453-16 approving budget guidelines for select special revenue funds.

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

Motion: Motion was made by Councilmember Barrette, and seconded by Councilmember DeSoto to approve and add to all as item #1, to comply with state law.

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

4B. Consideration of resolution 457-16 regarding the name of the new Richland Hills Activities Center and surrounding spaces.

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

Motion: Motion was made by Councilmember Barrette, and seconded by Councilmember DeSoto to table.

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

CONTRACTS, AGREEMENTS, BID AWARDS AND OTHER RELATED ITEMS

5A. None at this time.

OTHER ITEMS FOR CONSIDERATION

6A. Consideration of policies regarding weapons at open meetings, city meetings and public facilities.

Motion: Motion was made by Councilmember Lopez, and seconded by Councilmember DeSoto to table.

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

6B. Consideration of purchase of new Utility Sewer Truck.

Scott Mitchell, Director of Neighborhood Services presented to council information regarding the purchase of a new Utility Sewer Truck.

Motion: Motion was made by Councilmember Lopez, and seconded by Councilmember DeSoto to approve.

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

REPORTS & DISCUSSIONS

7A. Update on Richland Hills Activity Center Project.

Eric Strong, City Manager presented to council an update on the Richland Hills Activity Center Project.

7B. Discussion on Capital Improvements and Potential Projects.

Mayor Agan recessed the meeting at 8:38 p.m.

Mayor Agan reconvened the meeting to 8:47 p.m.

Eric Strong, City Manager presented to council information regarding Capital Improvements and Potential Projects.

7C. Discussion of Draft Annual Report.

Eric Strong, City Manager presented to council the Draft Annual Report.

7D. Presentation of Monthly Department Reports.

Eric Strong, City Manager presented to council the monthly department reports.

8. COMMUNITY INTEREST ITEMS

- Lunch Bunch - January 29th at noon

9. Executive Session

None at this time.

10. A motion was made by Councilmember DeSoto, and seconded by Councilmember Lopez to adjourn. Motion passed 4-0.

There being no further business to come before the City Council, Mayor Agan declared the meeting adjourned at 9:10 p.m.

ATTEST

APPROVED

Cathy Bourg, City Secretary

Bill Agan, Mayor