

**RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
APRIL 11, 2022
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

None

Staff present

Candice Edmondson, City Manager
Lindsay Wells, City Secretary
James Donovan, City Attorney

CITY COUNCIL WORK SESSION – 6:36 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). 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. Richland Hills Branding Project Update

Senior Strategist Brisa Byford, CivicBrand, provided an update on the Richland Hills Branding Project based on interviews and feedback with residents. She provided the perceived weaknesses including the perception of Richland Hills not having anything “new” going on and tension in the community keeping it from moving forward. The strengths discussed included that the City is neighborly, has great civic pride, and it is a small enough community to make a difference.

She next discussed the Core Idea of CivicBrand’s strategy moving forward that “Richland Hills can be a place where everyone “grabs an oar” and takes action to move our community forward.”

Discussion ensued regarding the citizen response to surveys and interviews and opportunities to be out in the community.

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.**

None.

Mayor Lopez adjourned the work session at 6:51 p.m.

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

INVOCATION AND PLEDGES OF ALLEGIANCE – Council Member Knowlton

PRESENTATIONS

1A. Animal Control Appreciation Week Proclamation

Mayor Lopez read a proclamation declaring April 10 – 16, 2022, as “Animal Control Appreciation Week” in Richland Hills and presented the proclamation to Animal Control Officer Kay Fisk.

1B. Telecommunicator Appreciation Week Proclamation

Mayor Lopez read a proclamation declaring April 10 – 16, 2022, as “Telecommunicator Appreciation Week” in Richland Hills and presented the proclamation to Dispatchers Diane Skaggs and Lisa Cloud.

1C. Citizen Appearances/Public Comments

Citizen comments emailed to Lindsay Wells (lwells@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.

City Secretary Lindsay Wells read an email submitted from Stacy Reddy, 7012 Hardisty Street, Richland Hills, who expressed concern regarding notifications by the Code Compliance Department. She expressed a preference for door hangers rather than mailed notices.

Gary Gordon, 3513 Scranton Drive, Richland Hills, agreed with comments made by Ms. Reddy, expressed concern regarding Code Compliance enforcement.

Toby Wright, 6901 Glen Hills Road, Richland Hills, acknowledged that Code Compliance is a difficult job.

Mayor Pro Tem Bergthold advised that Council has had discussions related to how best to notify residents of code compliance issues.

Jenny Clark, 6973 Hardisty Street, Richland Hills, expressed her appreciation to Animal Control Officer Kay Fisk for her love and care of animals. Additionally, she expressed her appreciation for the City's beautification project along medians.

CONSENT AGENDA

2A. Approved minutes from the March 28, 2022 City Council Regular Meeting.

2B. Authorized City Manager to proceed with an investment grade water meter audit with Performance Services Inc.

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

Motion carried by a vote of 5-0.

Motion: Motion was made by Councilmember Knowlton and seconded by Mayor Pro Tem Bergthold to move Agenda Item 5A be heard prior to the public hearings.

Motion carried by a vote of 5-0.

5A. Approved termination of Development Agreement for the Baker Landing Planned Development (PD) at 7100 Baker Boulevard and 3209 Ask Park Drive, Richland Hills, Texas 76118

City Manager Candice Edmondson provided a brief background of the item and advised that on January 10, 2022, the Tax Increment Reinvestment Zone (TIRZ) Board and City Council approved a Development Agreement for the Baker Landing Planned Development located at 7100 Baker Boulevard and 3209 Ash Park Drive. The Agreement was fully executed by all parties on February 22, 2022. After further discussion with the builder, the Skorburg Company (Developer) has requested to terminate the Development Agreement and is no longer seeking financial participation from the City for the project. The TIRZ board unanimously approved the termination of the agreement at their meeting held immediately prior to the City Council meeting.

Brian Holland, Development Partner for Skorburg Company, was present to address any questions.

Mr. Holland advised that the project is on schedule to begin in approximately 90 days. They need plat approval and a discussion with the City Engineer.

Motion: Motion was made by Councilmember Knowlton and seconded by Councilmember Morse to approve termination of Development Agreement

for the Baker Landing Planned Development (PD) at 7100 Baker Boulevard and 3209 Ask Park Drive, Richland Hills, Texas 76118.

Motion carried by a vote of 5-0.

PUBLIC HEARINGS, MEETINGS, AND OTHER RELATED ITEMS

3A. Approved Ordinance No. 1447-22, a Specific Use Permit for the property described as Lot 1, Block 8, Richland Hills South Addition, Richland Hills, Texas 76118, otherwise known as 6500 Baker Boulevard, Richland Hills, Texas 76118. PUBLIC HEARING

Public Hearing for Agenda Items #3A and #3B were heard concurrently.

Assistant to the City Manager Logan Thatcher presented the item to the City Council and advised that applicant, Tommy Cunningham, is seeking a Specific Use Permit (SUP) for construction of four single family homes on the property at 6500 Baker Boulevard. The lot is currently zoned Mixed Use and single family homes are only permitted with a Specific Use Permit. A replat of the property would be required and will be considered in Agenda Item #3B. The total property has a commercial use in the first parcel along Baker Boulevard with the following four parcels being single family detached homes. The Specific Use Permit under consideration is for the four proposed single family homes. A drainage study will be required by FEMA due to the parcels being located in the floodway.

The Planning and Zoning Commission held a public hearing on March 22, 2022, and considered the Specific Use Permit. Following discussion, the Commission approved the SUP by a vote of 4-0 with the additional requirement of a “ranch or traditional style” architecture, single family residences on lots 3 and 4 shall be a minimum of 1,600 square feet and single family residences on lots 5 and 6 shall be a minimum of 1,800 square feet. Mr. Thatcher presented the original “modern” concepts initially submitted and the “ranch or traditional style” concepts as suggested by the Planning and Zoning Commission.

The applicant was present to address any questions.

Applicant Tommy Cunningham, 6500 Baker Boulevard, Richland Hills, presented the proposed designs of the four homes and explained that he has been a home builder for 40 years and wants a product that will sell. He estimated that the homes will be priced at approximately \$200 per square foot.

Virginia Edwards, 3117 Crites Street, Richland Hills, expressed her concern regarding this development, specifically the size of the homes and the potential for investors rather than homeowners. She advised of crime and traffic along Crites Street currently.

Mayor Lopez opened the concurrent public hearing for Agenda Items #3A and #3B at 7:40 p.m. and asked to hear from any proponents followed by opponents of the items.

Rachel Konopka, 3132 Crites Street, Richland Hills, advised that she works for a home loan lender and expressed concern regarding the proposed price per square foot.

Mr. Cunningham advised that he cares about building a quality development with a good fit for the City.

Lorine Eddleman, 3224 Crites Street, Richland Hills, expressed her appreciation to Ms. Edwards for speaking on behalf of the neighborhood and her appreciation for Mr. Cunningham for listening to the neighbors at the Planning and Zoning Commission and presenting new conceptual designs. She expressed concern regarding flood issues.

Jenny Clark, 6973 Hardistry Street, Richland Hills, acknowledged that Council has a difficult decision to make. She understands the neighbor concerns but also understands the need for growth within the City.

Theresa Bledsoe, 2716 Spruce Park Drive, Richland Hills, expressed concern at the size of the proposed lots in comparison to nearby homes.

Mayor Lopez closed the public hearings at 7:49 p.m.

City Engineer David Burkett confirmed that a FEMA flood study will be required to ensure no increased risk of flooding brought on by the development.

Discussion ensued regarding lowering the number of homes built, the size of the homes, and the future commercial use.

Motion: Motion was made by Mayor Pro Tem Bergthold and seconded by Councilmember Alvarez to approve Ordinance 1447-22, a Specific Use Permit for the property described as Lot 1, Block 8, Richland Hills South Addition, Richland Hills, Texas 76118, otherwise known as 6500 Baker Boulevard, Richland Hills, Texas 76118.

Motion failed by a vote of 2-3. Councilmembers Knowlton, Morse, and Estep against.

Additional discussion ensued regarding the number of lots, mixed use, development allowed by right in the zoning district, and the square footage of the homes.

Motion: Motion was made by Councilmember Estep and seconded by Mayor Pro Tem Bergthold to approve Ordinance 1447-22, a Specific Use Permit for the property described as Lot 1, Block 8, Richland Hills South Addition, Richland Hills, Texas 76118, otherwise known as 6500 Baker Boulevard, Richland Hills, Texas 76118.

Motion carried by a vote of 5-0.

3B. Approved a Replat for the property described as Lot 1, Block 8, Richland Hills South Addition, Richland Hills, Texas 76118, otherwise known as 6500 Baker Boulevard, Richland Hills, Texas 76118. PUBLIC HEARING

Public Hearing for Agenda Items #3A and #3B were heard concurrently.

Assistant to the City Manager Logan Thatcher presented the item to the Commission and advised that applicant, Tommy Cunningham, owns a 33,000 square foot lot at 6500 Baker Boulevard and is seeking a replat of the property. The lot is currently zoned Mixed Use. The applicant has proposed a replat to meet the needs for four single family homes and one commercial building. A drainage study will be required by FEMA due to the parcels being located in the floodway.

City Attorney James Donovan confirmed that approval of the replat is ministerial in nature.

Motion: Motion was made by Councilmember Estep and seconded by Mayor Pro Tem Bergthold to approve a Replat for the property described as Lot 1, Block 8, Richland Hills South Addition, Richland Hills, Texas 76118, otherwise known as 6500 Baker Boulevard, Richland Hills, Texas 76118.

Motion carried by a vote of 5-0.

ORDINANCES & RESOLUTIONS AND OTHER RELATED ITEMS

4A. Approved Resolution No. 552-22, an Advanced Funding Agreement with TxDOT for the 2022 Baker Boulevard Green Ribbon Project.

Director of Parks and Recreation Jason Brown advised that Resolution No. 552-22 approves an Advanced Funding Agreement with TxDOT for the 2022 Baker Boulevard Green Ribbon Project. The City of Richland Hills has been awarded its fourth Green Ribbon project grant since 2014. The original project included the installation of irrigation and landscaping at the east and west monument signs, as well as along Baker Boulevard. Mr. Brown presented design plans incorporating more ground cover and additional color to the medians enhancing the aesthetics of the Baker Boulevard corridor.

Discussion ensued regarding the size of rocks in the medians and plant maintenance.

Motion: Motion was made by Councilmember Morse and seconded by Councilmember Knowlton to approve Resolution No. 552-22, an Advanced Funding Agreement with TxDOT for the 2022 Baker Boulevard Green Ribbon Project.

Motion carried by a vote of 5-0.

CONTRACTS, AGREEMENTS, BID AWARDS AND OTHER RELATED ITEMS**5B. Approved award of bid for drainage, water and sanitary sewer repair unit price contract to EXCEL 4 Construction, LLC.**

Director of Neighborhood Services Scott Mitchell advised that staff has been utilizing private vendors to complete some projects traditionally done by Public Works staff. To help expedite the completion of projects, staff created a unit price contract for routine repair work such as localized water main installation and repairs, valve repair, curb stops, sewer line spot repairs, manholes. The unit price contract also standardizes the costs for these projects vs. quoting each individual project as it comes up. The City utilizes similar contracts from other government entities and, as the primary contract holder, would allow other agencies to utilize this contract as well.

This item was initially presented to the City Council for consideration on January 24, 2022, and Council recommended further negotiations between City staff and EXCEL 4 Construction, LLC, and the updated bid document has been presented for Council consideration.

Council commended Mr. Mitchell for doing due diligence and working with the vendor to address concerns.

Motion: Motion was made by Mayor Pro Tem Bergthold and seconded by Councilmember Knowlton to approve award of bid for drainage, water and sanitary sewer repair unit price contract to EXCEL 4 Construction, LLC.

Motion carried by a vote of 5-0.

OTHER ITEMS FOR CONSIDERATION

6. None.

REPORTS & DISCUSSIONS

7. None.

COMMUNITY INTEREST ITEMS

8. Councilmember Morse advised of several upcoming events:

- Saturday, April 9, 2022, Easter Celebration, Rosebud Park, 10:00 a.m. to noon;
- Tuesday, April 12, 2022, Richland Hills Literary Club, Richland Hills Public Library, 6:30 p.m.;
- Thursday, April 14, 2022,
 - Senior Lunch Bunch, The Link, 12:00 to 1:00 p.m.;
 - Tarrant County Food Pantry, The Link Parking Lot, 5:30 to 7:00 p.m.;
- 1st and 3rd Thursday of the month, Storytime at the library, 6:30 p.m.; and
- 2nd and 4th Thursday of the month, Library Lab, 6:30 p.m.

EXECUTIVE SESSION

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.

ADJOURNMENT

10. A motion was made by Councilmember Knowlton and seconded by Councilmember Morse 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 8:43 p.m.

ATTEST:

APPROVED:

Lindsay Wells, City Secretary

Edward Lopez, Mayor