

**MINUTES OF THE WORK SESSION AND REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS,
HELD IN THE CITY HALL, 7301 NORTHEAST
LOOP 820 – August 10, 2009**

WORK SESSION

The City Council of the City of North Richland Hills, Texas met in work session on the 10th day of June, 2009 at 5:45 p.m. in the Council Work Room prior to the 7:00 p.m. regular Council meeting.

Present:	Oscar Trevino	Mayor
	Scott Turnage	Mayor Pro Tem, Council, Place 6
	John Lewis	Council, Place 1
	Ken Sapp	Council, Place 2
	Tom Lombard	Council, Place 3
	Tim Barth	Council, Place 4
	David Whitson	Council, Place 5
Staff Members:	Larry J. Cunningham	City Manager
	Karen Bostic	Assistant City Manager
	Jimmy Perdue	Assistant City Manager
	Mike Curtis	Managing Director
	Vickie Loftice	Managing Director
	Patricia Hutson	City Secretary
	Monica Solko	Assistant City Secretary
	George Staples	City Attorney
	Mary Peters	Public Information Officer
	Elizabeth Reining	Assistant to City Manager
	John Pitstick	Director of Planning & Development
	Larry Koonce	Finance Director
	Sean Hughes	Emergency Management Coordinator
	Debbie York	Neighborhood Services Manager
	Stephanie East	Environmental Health Supervisor
	Craig Hulse	Economic Development Director
	Mark Mills	Budget Director
	Greg VanNieuwenhuize	Assistant Public Works Director
Absent:	Tim Welch	Council, Place 7

Call to Order

Mayor Trevino called the work session to order at 5:45 p.m.

A.1 **Discuss Items from Regular City Council Meeting**

Agenda Item F-1, GN 2009-055 – Councilman Sapp questioned the difference in fee structure in Tarrant County and the City. Stephanie East, Environmental Health Supervisor advised that Tarrant County temporary health permit fee was lower than the temporary permit fee offered by the City. Tarrant County performed the inspections at last years event and because of the lower fee more businesses were able to participate in the Taste of Northeast. In addition, the event may relocate each year and having the County perform the inspections would ensure continuity among the locations. The City fees are based upon a cost recovery study administered by the Finance Department.

A.2 IR 2009-071 Discussion to Revise the Ordinance Regarding Solicitors' Permits

Patricia Hutson, City Secretary presented a PowerPoint presented and briefed Council on recommended changes for the solicitors' ordinance and permit process. These recommended changes come from several inquiries and complaints from residents concerning solicitors and unwanted handbills. Staff is recommending a proposed ordinance that will regulate the distribution of handbills and place additional regulations and restrictions on solicitors. Some of the major changes proposed are as follows:

- Businesses desiring to distribute commercial handbills must register and list name of persons who will be doing the distribution.
- Same time limits on handbill distribution as solicitation.
- Signs on houses or businesses will outlaw handbill distributions.
- Handbills cannot be placed on cars.
- Handbills cannot be left at vacant houses.
- Solicitation permit time reduced from one year to six months.
- Provision made for cancellation of solicitation permits.
- "Aggressive" tactics in solicitation defined and prohibited.
- Solicitors required to step back and stay away from door after knocking or ringing doorbell.
- Restrictions placed on address number painting solicitation and requiring disclaimer of city endorsement or sponsorship.

The consensus of Council was to move forward with the changes and to bring back to Council for final approval.

A.3 IR 2009-078 National Flood Insurance Program's Community Rating System Update

Glenn Smith, Public Works Associate Engineer, updated Council on the National Flood Insurance Program's Community Rating System. The City of North Richland Hills recently underwent a review of the City's Floodplain Management Program as a requirement of our participation in the National Flood Insurance Program (NFIP)

administered through FEMA. This review is conducted every five years (5) by the Insurance Services Office (ISO). Under the NFIP, the City also electively participates in the Community Rating System (CRS) program. The City has been in the CRS program for approximately the last ten (10) years. In order to remain in the CRS program the City had to adopt higher flood protection standards which in turn aid in protecting the public from losses associated with flooding events. By being a member of the CRS program, property owners in CRS communities benefit by receiving discounts on flood insurance.

Communities in the CRS program are rated on a scale of 1 to 10, with Class 1 being the most desirable and Class 10 being entry level. The results of the FEMA audit improved our status within the CRS program from a Class 7 to a Class 6 community. Only three other cities in Texas who participate in the CRS program had a better CRS rating. There are only five cities that have the Class 6 rating. As a result of the change in CRS rating, all North Richland Hills' residents will be eligible for reduced flood insurance rates. There were no questions from Council.

A.4 IR 2009-079 Rufe Snow Drive/Glenview Drive Intersection Concept Study

Glenn Smith, Public Works Associate Engineer briefed Council on the concept study on Rufe Snow Drive/Glenview Drive Intersection. This project was presented to Council back on April 13th for feedback and direction. After receiving direction from Council, staff and the consultant Huitt Zollars, Inc worked together to generate the following concepts. Mr. Smith introduced Chris Scott, with Huitt Zollars, Inc. to explain the concepts more in detail.

Concept 1 – This concept utilizes a central focal point with a landscape backdrop on the main island area. A series of short serpentine retaining walls is designed to create a raised focal point for landscaping and signage. The small plaza on the main island is designed to help move pedestrians through the intersection while also providing for small color displays within the plaza area. The design incorporates pavement enhancement at the intersection in addition to the landscaping within the right-of-way and small pavement islands. The design also includes the relocation of the right turn lane on Rufe Snow Drive and the addition of a dedicated left turn lane on Glenview Drive.

Concept 2 – This concept utilizes the same landscaping feature as Concept 1 as well as a dedicated left turn lane on Glenview Drive. However, in this concept the right turn lane on Rufe Snow Drive is left in its current configuration.

The consensus of Council was to move forward with concept 1 and bring back to Council for final approval

A.5 Adjournment

Mayor Trevino announced at 6:35 p.m. that the Council would adjourn to the regular Council meeting.

REGULAR COUNCIL MEETING

**A.0
CALL TO ORDER**

Mayor Trevino called the meeting to order August 10, 2009 at 7:00 p.m.

ROLL CALL

Present:	Oscar Trevino	Mayor
	Scott Turnage	Mayor Pro Tem, Council, Place 6
	John Lewis	Council, Place 1
	Ken Sapp	Council, Place 2
	Tom Lombard	Council, Place 3
	Tim Barth	Council, Place 4
	David Whitson	Council, Place 5
	Staff:	
	Larry J. Cunningham	City Manager
	Karen Bostic	Assistant City Manager
	Jimmy Perdue	Assistant City Manager
	Mike Curtis	Managing Director
	Vickie Loftice	Managing Director
	Patricia Hutson	City Secretary
	Monica Solko	Assistant City Secretary
	George Staples	Attorney
Absent:	Tim Welch	Council, Place 7

**A.1
INVOCATION**

Councilman Sapp gave the invocation.

A.2

PLEDGE OF ALLEGIANCE

Councilman Sapp led the pledge of allegiance.

**A.3
SPECIAL PRESENTATION(S) AND RECOGNITION(S)**

No items for this category.

**A.4
CITIZENS PRESENTATION**

None.

**A.5
REMOVAL OF ITEM(S) FROM THE CONSENT AGENDA**

None.

**B.0
APPROVAL OF CONSENT AGENDA ITEMS
APPROVED**

B.1 APPROVAL OF MINUTES OF JULY 27, 2009 COUNCIL MEETING

MAYOR PRO TEM TURNAGE MOVED TO APPROVE THE CONSENT AGENDA. COUNCILMAN WHITSON SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

PUBLIC HEARINGS

**C.1
RP 2009-03 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM
SCOTT WATROUS TO REPLAT LOTS 17 AND 18, BLOCK 1, W.E. ODELL
ADDITION INTO LOT 17R, BLOCK 1, W.E. ODELL ADDITION LOCATED AT
8029 AND 8105 ODELL STREET
APPROVED**

Mayor Trevino opened the public hearing and called on the applicant to come forward.

Roger Hart, 135 Sheffield Drive, Fort Worth, TX, with Area Surveying came forward representing the applicant. The applicant has purchased two lots and would like to combine both lots into one and build a larger home. He was available to answer any questions the Council might have.

John Pitstick, Planning and Development Director, summarized the item. The applicant, Scott Watrous, is requesting a replat of two smaller contiguous lots in order to create one larger lot. Both lots are owned by Mr. Watrous. The lots are located at 8029 and 8105 Odell Street and are currently vacant. Mr. Watrous' intention once the property is replated is to construct a single-family residential dwelling on the proposed single lot. The Planning & Zoning Commission recommended approval by a 4-0 vote.

Mayor Trevino called for anyone wishing to speak for or against the request to come forward.

There being no one wishing to speak, Mayor Trevino closed the public hearing and called for the motion.

COUNCILMAN LOMBARD MOVED TO APPROVE THE REPLAT RP 2009-03. COUNCILMAN BARTH SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

PLANNING & DEVELOPMENT

D.1

Items to follow do not require a public hearing.

No items for this category.

PUBLIC WORKS

E.1

**PW 2009-028 APPROVAL OF THE 2009 PREVENTIVE STREET MAINTENANCE PROGRAM
APPROVED**

Jimmy Cates, Public Works Operations Manager summarized the item. On July 28, 2009 staff presented the 2009 Preventive Street Maintenance Program to the Capital Improvement Project (CIP) Committee. The recommended program consists of an asphalt overlay on 12 streets, a slurry seal on 21 streets, and crack sealing 18 streets.

The committee recommended approval of the program and requested staff to present to the City Council for approval.

COUNCILMAN WHITSON MOVED TO APPROVE PW 2009-028 APPROVING THE 2009 PREVENTIVE STREET MAINTENANCE PROGRAM. COUNCILMAN SAPP SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

E.2

PW 2009-029 APPROVE A CONTRACT OF SALE IN THE AMOUNT OF \$26,600 FOR RIGHT-OF-WAY ACQUISITION AT 8241 PECAN RIDGE DRIVE FOR THE NORTH TARRANT PARKWAY STREET RECONSTRUCTION PROJECT.

APPROVED

Mr. Greg VanNieuwenhuize, Assistant Public Works Director, presented the item. The North Tarrant Parkway Street Reconstruction Project, a joint project with the City of Keller, is identified in the 2008-2009 Capital Projects Budget as ST0201. The construction plans for the roadway improvements are nearing completion, with construction anticipated to begin in early 2010. Staff is currently working with property owners in order to acquire the necessary right-of-way (ROW) parcels. This ROW parcel is comprised of 10,647 square feet in the rear yard of a residential lot on Pecan Ridge Trail. There are no structures within the area to be acquired. The City offered the property owner the appraised value of \$26,600 to acquire this ROW parcel. The owner accepted the offer. There is sufficient funding for this ROW acquisition in the approved 2008-2009 Capital Projects Budget. Staff is recommending approval of the contract of sale in the amount of \$26,600 for right-of-way acquisition at 8421 Pecan Ridge Drive.

COUNCILMAN LEWIS MOVED TO APPROVE PW 2009-029. MAYOR PRO TEM TURNAGE SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

E.3

PW 2009-030 APPROVE A POLICY CHANGE FOR LOW-PRICED LAND PURCHASES – RESOLUTION NO. 2009-027

APPROVED

Mike Curtis, Managing Director, summarized the item. Staff is in the process of acquiring property for right-of-way for several of the street improvement projects approved by the City Council and budgeted in the Capital Projects Budget. Currently, all property being acquired must go through a comprehensive process which includes obtaining appraisals from licensed appraisers. Since in many of the street improvement

projects the amount of right-of-way needed is appraised at less than the cost of the appraisal report itself, staff is proposing the following:

1. A mechanism whereby the City Manager would be authorized to expend up to \$25,000 without Council approval for each property connected with a project approved in the Capital Projects Budget.
2. To allow purchases under \$5,000 without an appraisal.
3. To obtain an appraisal on purchases that exceed \$5,000 and to allow individual expenditures over the \$5,000 amount up to \$25,000 - as long as the negotiated price does not exceed 20% of the appraisal.

Staff believes these changes will not only save the city money but will still preserve the comprehensive process for the larger land purchases.

COUNCILMAN BARTH MOVED TO APPROVE PW 2009-030; RESOLUTION No. 2009-027. COUNCILMAN LOMBARD SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

GENERAL ITEMS

F.1

**GN 2009-055 INTER-LOCAL AGREEMENT BETWEEN CITY OF NORTH RICHLAND HILLS AND TARRANT COUNTY FOR FOOD SERVICE INSPECTIONS AT TASTE OF NORTH EAST TARRANT SPECIAL EVENT
APPROVED**

Stephanie East, Environmental Health Supervisor presented the item. The Taste of North East Tarrant is a special event where multiple local restaurants set up booths to offer samples of their menu items to citizens for one admission price. Last year, the Taste of North East Tarrant coordinators requested that the event be inspected and permitted by Tarrant County Public Health (TCPH) due to a significantly different permit fee per booth. Tarrant County offers Temporary Food Service Event Permits for \$35 as opposed to the \$69 fee set in the North Richland Hills Code of Ordinances. Coordinators explained that many restaurants were hesitant to participate due to the larger permit fee. In addition, this event may relocate each year and having the County perform the inspections would ensure continuity among the locations. Staff is recommending approval of the inter-local agreement with Tarrant County.

MAYOR PRO TEM TURNAGE MOVED TO APPROVE GN 2009-055. COUNCILMAN LEWIS SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

F.2

**GN 2009-056 SETTING DATE FOR PUBLIC HEARINGS FOR 2009-2010 CITY BUDGET, PARKS AND RECREATION FACILITIES DEVELOPMENT CORPORATION AND CRIME CONTROL AND PREVENTION DISTRICT BUDGETS
APPROVED**

Mark Mills, Budget Director presented the item. It is necessary for City Council to set public hearings on the proposed annual 2009-2010 City Budget, proposed projects and operations of the Park and Recreation Facilities Development Corporation, and the Crime Control and Prevention District budgets. A published notice will be required for each public hearing per the City Charter and State law. Each hearing is set for August 24, 2009 beginning at 6:15 p.m. for the Park and Recreation Facilities Development Corporation, 6:30 p.m. for the Crime Control and Prevention District, and 7:00 p.m. for the proposed annual City Budget.

COUNCILMAN WHITSON MOVED TO APPROVE GN 2009-056 SETTING THE DATE FOR PUBLIC HEARINGS ON THE PARKS AND RECREATION FACILITIES DEVELOPMENT CORPORATION AT 6:15 P.M., CRIME CONTROL AND PREVENTION DISTRICT AT 6:30 P.M., AND THE ANNUAL CITY BUDGET AT 7:00 P.M. ON AUGUST 24, 2009. COUNCILMAN LOMBARD SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

F.3

**GN 2009-057 SETTING DATE FOR THE ADOPTION OF THE PROPOSED TAX RATE AND VOTE ON PLACING THE TAX RATE ADOPTION ON THE AGENDA OF THE SEPTEMBER 14, 2009 COUNCIL MEETING
APPROVED**

Mark Mills, Budget Director presented the item. In follow up to the 2009-2010 Budget Work Session, it is necessary to begin the notice and public hearing procedures to establish a tax rate for the next fiscal year in accordance with the City Charter and State law. At the Work Session, Council consensus was to set the tax rate at 57¢, which is the same tax rate as the current year. If approved, this will be the 17th consecutive year the tax rate has been 57¢.

Per Section 26.05(d) of the Tax Code, Council can not adopt a tax rate that exceeds the lower of the rollback tax rate or the effective tax rate until two public hearings have been held on that tax rate. The City of North Richland Hills' proposed tax rate of 57¢ is below the effective tax rate of 58.8866¢ and the rollback rate of 57.5776¢. In addition, the City of North Richland Hills will raise less total property taxes than last year's budget. As a result, the City of North Richland Hills is not required to conduct two public hearings prior to the adoption of the tax rate.

In years past, it has been necessary for Council to vote to set the date for the public hearings and to place the vote on the adoption of the tax rate on a future Council Agenda as an action item. While no dates will need to be set for tax rate public hearings, as the City is not required to hold them this year, staff still requests that Council vote to place the adoption of the tax rate on the September 14, 2009 City Council Agenda as an action item.

COUNCILMAN SAPP MOVED TO APPROVE GN 2009-057 SETTING THE ADOPTION OF THE TAX RATE OF 57¢ ON SEPTEMBER 14TH. COUNCILMAN BARTH SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

EXECUTIVE SESSION ITEMS

G.0

No items for this category.

INFORMATION AND REPORTS

H.1

ANNOUNCEMENTS

Councilman Lewis made the following announcements.

The City of North Richland Hills will display its Artists at Work employee art exhibit August 14th through August 21st in the Community Room at the North Richland Hills Public Library. For more details, please call 817-427-6620.

The Companies in Action Volleyball Tournament will be held on Saturday, August 15th at the NRH Recreation Center. Local businesses interested in competing in this event should call 817-427-6600 for more details.

The NRH Police Department is accepting applications for the next session of the Citizens Police Academy (CPA). The CPA begins August 27th and meets each Thursday for 12 consecutive weeks. For an application or more information, call 817-427-7040 or log on to www.nrhtx.com.

Kudos Korner - Teddi Zonker, Alex Do and Kaila Hillig, Parks and Recreation Department. An email was received from a new resident expressing how much his family enjoyed the recent My Part of Town movie night. He appreciates the City being so forward thinking and community oriented and is glad his family moved to North Richland Hills.

Mayor Pro Tem Turnage announced that the Birdville Independent School District had three exciting upcoming dedications and ribbon cuttings for the following:

- The Career and Technology Center on August 18th at 6:00 p.m.
- Haltom High School on August 20th at 6:00 p.m., and
- Richland High School on August 23rd at 2:30 p.m.

H.2 ADJOURNMENT

Mayor Trevino adjourned the meeting at 7:32 p.m.

Oscar Trevino – Mayor

ATTEST:

Patricia Hutson, City Secretary