

**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 13, 2007**

WORK SESSION

The City Council of the City of North Richland Hills, Texas met in work session on the 13th day of August, 2007 at 6:00 p.m. in the Council Work Room prior to the 7:00 p.m. regular Council meeting.

Present:	Oscar Trevino	Mayor
	Suzy Compton	Mayor Pro Tem, Place 3
	John Lewis	Council, Place 1
	Ken Sapp	Council, Place 2
	Tim Barth	Council, Place 4
	David Whitson	Council, Place 5
	Scott Turnage	Council, Place 6
	Tim Welch	Council, Place 7
Staff Members:	Larry J. Cunningham	City Manager
	Jim Starr	Interim Assistant City Manager
	Ogden Bo Bass	Assistant City Manager
	Karen Bostic	Managing Director Administrative/Fiscal Services
	Patricia Hutson	City Secretary
	Monica Solko	Assistant City Secretary
	George Staples	City Attorney
	Mary Edwards	Public Information Officer
	Elizabeth Reining	Assistant to City Manager
	John Pitstick	Director of Planning & Development
	Larry Koonce	Finance Director
	Mike Curtis	Public Works Director
	Jimmy Perdue	Chief of Police
	Eric Wilhite	Chief Planner
	Drew Corn	Budget Director
	Vickie Loftice	Director of Parks and Recreation
	Debbie York	Environmental Resources Coordinator
	Jamie Brockway	Purchasing Manager

Call to Order

Mayor Trevino called the work session to order at 6:01 p.m.

Mayor Trevino recognized Brandon Lee, recipient of the “Mayor for a Day” donated by the City and purchased at a fundraiser held by the Holiday Heights Elementary School.

A.1 Discuss Items from Regular City Council Meeting

There were no items discussed.

A.2 IR 2007-096 Red Light Enforcement Update

Jimmy Perdue, Chief of Police, presented a PowerPoint presentation updating Council on the Automated Traffic Signal Control Red Light Camera (RLC) Program.

Intersection Selection Criteria:

- Number of accidents
- Volume of traffic
- Complaints from citizens
- Officers knowledge
- Visual evaluation over time period

Current Operational Red Light Camera Locations:

- Southbound Rufe Snow at Mid-Cities
- Northbound & Southbound Rufe Snow at Dick Lewis

Future Red Light Camera Locations:

- Eastbound Mid-Cities at Davis
- Southbound Davis at Lola
- Northbound Davis at Harwood
- Northbound & Southbound Davis at Maplewood
- I-820 access road at Rufe Snow Dr.

Violation Process:

- Violation detected by system
- Violation reviewed by Red flex
- Violation reviewed by NRH Police Officer
- Violation mailed to owner of vehicle
 - Must be mailed within 30 days
 - Presumption of receipt after 5 days
- Upon receipt of notice of violation
 - Pay \$75 fine by mail or credit card on-line
 - Log on to web site (www.photonotice.com)
 - Request appeal hearing

Reasons for Administrative Dismissal:

- Uncontrollable Factors
 - Obstruction (Plate/vehicle)
 - Extended vehicle

- Weather/Nature
- Yellow with Red light
- Redflex Rejects
 - Image missing
 - Miscellaneous Camera Issue
 - Plate not in frame
 - Rear plate camera blurry
 - Rear plate flash inappropriate
 - Scene Image flash Inappropriate
 - Scene Image no flash
- Police Rejects
 - No video
 - Vehicle on or passed stop line

Traffic Safety Fund:

- Allowed expenses from gross revenue
 - Purchasing, leasing and maintaining photographic equipment
 - Installing and operating the system including general upkeep and processing of fines
- 50% of net revenue sent to State of Texas for Regional Trauma Centers
- City retain portion to be used exclusively for
 - Automated signal enforcement
 - Public traffic or pedestrian safety
 - Intersection improvements
 - Traffic enforcement

Public Education:

- Information about RLC program on City and PD web page
 - <http://www.nrhtx.com>
- Information has been included in City newsletter
- Press release issued each time an intersection is added

There were no questions from the Council.

A.3 IR 2007-097 Review of PEACE Program

Debbie York, Environmental Resources Coordinator, presented a PowerPoint presentation updating Council on the PEACE Program. The PEACE program is an umbrella program that stands for Public participation, Education and, Assistance for a Cleaner Environment. The purpose of these programs is to combine similar programs and resources to provide assistance to residents when needed; to help prevent neighborhood decline; to educate citizens & businesses on code related issues; to

improve the aesthetics and ultimately the quality of life in our community; and to gain community involvement.

- ◆ Neighborhood LOOKS Program
 - Workshops on code requirements
 - Walk through of neighborhoods
- ◆ Litter NOT Program
 - Identify constantly littered public areas
 - Monthly litter cleanups
 - Adopt-A-Spot volunteers
 -
- ◆ Neighborhood Initiative Program
 - Projects completed – 222
 - Donations received - \$13,207
 - Emergency Repair Program - \$90,000
- ◆ Community Development Block Grant
 - Federal Block Grant from HUD
 - Covers roof, foundation, plumbing, electrical and weatherization improvement projects
 - 1 project completed in 2007, 3 in progress and 7 on the waiting list
- ◆ Tarrant County HOME Funds
 - 25% match required on a minimum of \$100,000
 - Minimum of \$1,000 and Maximum of \$23,000 per house for repairs

There were no questions from the Council.

A.4 Adjournment

Mayor Trevino announced at 6:39 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 13, 2007 at 7:00 p.m.

ROLL CALL

Present:	Oscar Trevino	Mayor
	Suzy Compton	Mayor Pro Tem, Council Place 3
	John Lewis	Council, Place 1
	Ken Sapp	Council, Place 2
	Tim Barth	Council, Place 4
	David Whitson	Council, Place 5
	Scott Turnage	Council, Place 6
	Tim Welch	Council, Place 7
	Staff:	
	Larry J. Cunningham	City Manager
	Ogden Bo Bass	Assistant City Manager
	Jim Starr	Interim Assistant City Manager
	Patricia Hutson	City Secretary
	Monica Solko	Assistant City Secretary
	George Staples	Attorney

Mayor Trevino recognized Brandon Lee, recipient of "Mayor for a Day" donated by the City and purchased at a fundraiser held by the Holiday Heights Elementary School.

A.1 INVOCATION

Councilman Barth gave the invocation.

A.2 PLEDGE OF ALLEGIANCE

Brandon Lee, Mayor for the Day led the pledge of allegiance.

A.3 SPECIAL PRESENTATION(S) AND RECOGNITION(S) IR 2007-099 DISTINGUISHED BUDGET PRESENTATION AWARD FOR FISCAL YEAR 2006/2007

Charles S. Cox, Director of Finance at the City of Farmers Branch and President of Government of Finance Association presented the Distinguished Budget Award for Fiscal Year 2006/2007 to Drew Corn, Director of Finance.

**A.4
CITIZENS PRESENTATION**

Mrs. Laverne O'Steen, 8429 Emerald Circle, advised that in regards to Lot 1, Block 4 Emerald Lakes, she had requested at previous citizens presentations that her questions be answered in writing and that she was still waiting.

Mr. Bass, Assistant City Manager, advised of the responses the City had provided.

**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 23, 2007 CITY COUNCIL MEETING**
- B.2 PU 2007-038 INTER-LOCAL AGREEMENT WITH THE COOPERATIVE PURCHASING NETWORK – RESOLUTION NO. 2007-049**
- B.3 FP 2007-02 CONSIDERATION OF A REQUEST FROM OTIS LEE OF CIVILWORKS ENGINEERING TO APPROVE A FINAL PLAT OF LOTS 1R, 2-4, BLOCK 1, DJ ANDERSON ADDITION, (LOCATED IN THE 8500 BLOCK OF DAVIS BLVD - 5.049 ACRES).**
- B.4 FP 2007-09 CONSIDERATION OF A REQUEST FROM MARK COMIS OF ROYAL BUILDING CORPORATION TO APPROVE A FINAL PLAT OF LOTS 1-2, BLOCK 1, CREEKSIDE ESTATES, (LOCATED ON SIMMONS ROAD AND STEWART DRIVE - 0.8768 ACRES).**

COUNCILMAN TURNAGE MOVED TO APPROVE THE CONSENT AGENDA. COUNCILMAN LEWIS SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

PUBLIC HEARINGS

C.1

ZC 2007-09 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM JOHNSON DIVERSIFIED ENTERPRISES, INC. TO APPROVE A ZONING CHANGE FROM "C-1" COMMERCIAL TO "R-PD" RESIDENTIAL - PLANNED DEVELOPMENT (LOCATED IN THE 6800 BLOCK OF HIGHTOWER DRIVE - 22.30 ACRES) - ORDINANCE NO. 2942

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

Ben Johnson, 1712 Oakland Drive, owner of Johnson Diversified Enterprises, Inc. came forward. He presented a PowerPoint presentation and gave Council a handout highlighting the development.

Eric Wilhite, Chief Planner, presented the item. The applicant, Ben Johnson of Johnson Diversified Enterprises, Inc., is requesting approval of a zoning change from "C-1" Commercial to "R-PD" Residential Planned Development. The site is 22.29 acres that is located near the south-east intersection of Rufe Snow Drive and Hightower Drive. This request represents planned development for residential that is over the ten (10) acre maximum size for a RI-PD (residential infill planned development) and therefore it is not an RI-PD. The site development proposal includes a unique lot layout and housing product in a residential community development that creates a complete living environment thru the use of streetscape and site improvements and amenities. The sites primary access will be from Hightower Drive a C4U collector with 68 feet of right of way. There will also be emergency access to the west by an emergency access easement connecting to and through the adjacent commercial properties to Rufe Snow. The Planning and Zoning Commission recommended approval with a 5-0 vote with the following conditions: 1) Remove stucco and flat roofs be removed from the design guidelines. 2) Staggered trees with minimum 3 inch caliper on 20 feet spacing along the 30 feet buffer easement area to south.

Mayor Trevino called for anyone wishing to speak in favor of the request to come forward.

Rick Anthony, 6941 Driffield Circle, came forward. He expressed his concerns with flooding in his neighborhood and was hopeful that with the development of project it would solve the drainage problems.

Mayor Trevino thanked Mr. Anthony for his comments and stated that drainage was not being discussed at this time. Drainage would be discussed during the platting stages of the project. Mayor Trevino asked Mike Curtis, Director of Public Works to explain the stages of process to Mr. Anthony.

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 WELCH MOVED TO APPROVE ZC 2007-09 WITH THE P&Z RECOMMENDED CONDITIONS (1. REMOVE STUCCO AND FLAT ROOFS BE REMOVED FROM THE DESIGN GUIDELINES 2. STAGGERED TREES WITH MINIMUM 3 INCH CALIPER ON 20 FEET SPACING ALONG THE 30 FEET BUFFER EASEMENT AREA TO SOUTH). COUNCILMAN SAPP SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

PLANNING & DEVELOPMENT

D.0

Items to follow do not require a public hearing.

No items for this category

PUBLIC WORKS

E.0

No items for this category

GENERAL ITEMS

F.1

**GN 2007-065 SETTING DATE FOR PUBLIC HEARINGS FOR 2007-2008 CITY BUDGET, PARKS AND RECREATION FACILITIES DEVELOPMENT CORPORATION AND CRIME CONTROL AND PREVENTION DISTRICT BUDGETS
APPROVED**

Drew Corn, Budget Director, presented the item. It is necessary for City Council to set public hearings on the proposed 2007-2008 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 27, 2007 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 City Budget.

MAYOR PRO TEM COMPTON MOVED TO APPROVE GN 2007-065 TO SET THE DATE FOR THE PUBLIC HEARINGS 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 THE ANNUAL CITY BUDGET AT 7:00 P.M. ON AUGUST 27, 2007. COUNCILMAN WHITSON SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

F.2

GN 2007-066 SETTING DATES FOR PUBLIC HEARING ON PROPOSED TAX RATE AND RECORD VOTE ON PLACING THE TAX RATE ADOPTION OF THE SEPTEMBER 10, 2007 COUNCIL MEETING APPROVED

Drew Corn, Budget Director, presented the item. In follow up to the 2007-2008 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 15th consecutive year the tax rate has been 57¢.

Per Senate Bill 567 of the 79th Texas Legislative Session, if a municipality imposes a tax rate that exceeds the effective tax rate, the municipality is required to have a record vote to place a proposal to adopt the tax rate on the agenda of a future meeting as an action item. The effective tax rate is 56.4932¢ which is lower than the proposed tax rate of 57¢. As a reminder, the effective tax rate is the rate that would be applied to the July 2007 property tax values that would provide the same amount of revenue as the current tax year.

State law further requires that a municipality hold two public hearings if the proposed tax rate exceeds the effective tax rate. The first tax rate public hearing is proposed to be held on August 27, 2007, a regularly scheduled Council Meeting with the second public hearing proposed for a Special Council Meeting on August 30, 2007. State law requires that a tax rate be adopted no sooner than 3 days after the second public hearing and no later than 14 days after the second public hearing. It is proposed that the tax rate be adopted at the September 10, 2007 Council meeting.

COUNCILMAN LEWIS MOVED TO APPROVE GN 2007-066 THAT A RECORD VOTE BE TAKEN TO PLACE THE ADOPTION OF THE TAX RATE OF 57¢ ON THE SEPTEMBER 10, 2007 COUNCIL AGENDA, AND SET THE FIRST PUBLIC HEARING ON THE 57¢ TAX RATE FOR MONDAY, AUGUST 27, 2007 DURING THE REGULAR 7:00 P.M. CITY COUNCIL MEETING AND SET THE SECOND PUBLIC HEARING ON THE 57¢ TAX RATE FOR THURSDAY, AUGUST 30, 2007 DURING A SPECIAL 6:00 P.M. CITY COUNCIL MEETING. COUNCILMAN TURNAGE SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

**F.3
INFORMATION AND REPORTS
IR 2007-100 TRTC: THE FUTURE OF TRANSPORTATION – PRESENTED
BY THE HONORABLE MAYOR KEN SHETTER, CITY OF BURLESON**

Ken Shetter, Mayor of the City of Burleson and Tarrant Regional Transportation Coalition board member, presented a PowerPoint presentation updating Council on what the Tarrant Regional Transportation Coalition (TRTC) is doing to prepare for the future transportation needs of North Texas. Presentation included a population forecast for North Texas and what the continuing boom in population means to our various transportation needs, projects that will alleviate some of the growing congestion problems, including the NE Loop 820 expansion and budgeting concerns for projects.

**F.4
INFORMATION AND REPORTS**

Councilman Turnage made the following announcements.

The City of North Richland Hills will display its Artists at Work employee art exhibit August 17th through August 25th in the Recreation Center Assembly Room. For more details, please call 817-427-6614.

The Companies in Action Volleyball Tournament will be held on Saturday, August 18th, at the NRH Recreation Center. Local businesses interested in competing in this event should call 817-427-6600 for more details.

Richland Tennis Center is celebrating its 10th Anniversary from 1:30 p.m. to 5 p.m. on Sunday, August 26th. There will be free tennis drills, refreshments, door prizes and more. For more information, please call 817-427-6680.

Kudos Korner - Paul Faulks, Public Works Utility Department. A phone call was received from a resident praising Paul for responding to a sewer problem so quickly.

The resident said Paul was very professional and pleasing in the manner in which he resolved the problem.

**F.5
ADJOURNMENT**

Mayor Trevino adjourned the meeting at 8:34 p.m.

Oscar Trevino – Mayor

ATTEST:

Patricia Hutson, City Secretary