

**RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
FEBRUARY 13, 2023
MINUTES**

Roll Call:

Council present

Edward Lopez, Mayor
Curtis A. Bergthold, Mayor Pro Tem
Douglas Knowlton, Place 1
Travis Malone, Place 2
Javier Alvarez, Place 4
G.W. Estep, Place 5

Council absent

Staff present

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

CITY COUNCIL WORK SESSION – 6:30 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.
 1. Section 551.071: Consultation with Attorney
 - a. Auto Repair Businesses

Motion: Motion was made by Councilmember Estep and seconded by Councilmember Knowlton to adjourn into Executive Session at 6:31 p.m.

Motion carried by a vote of 5-0.

Mayor Lopez reconvened into open session at 7:07 p.m. with no action taken.

2. **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 7:07 p.m.

REGULAR SESSION – Mayor Lopez Called to Order – Time 7:07 p.m.

INVOCATION AND PLEDGES OF ALLEGIANCE – Council Member Knowlton

PRESENTATIONS

1A. Citizen Appearances/Public Comments

None.

CONSENT AGENDA

2A. Approve minutes from the December 12, 2022 City Council Regular Meeting.

2B. Approve a replat for the properties generally setting southeast of the intersection of Ash Park Drive and Baker Boulevard, Lot 1X and Lots 1-33, Block A, and Lots 1X-2X, and Lots 1-36, Block B, being 7.106 acres of land situated in the Simcoe Popplewell Survey, Abstract Number 1241, Tarrant County, Texas

2C. Approve award of bid to Native Construction for the Richland Hills Public Library Accessibility Improvements Project as part of the 2022 Community Development Block Grant – Care’s Act (CDBG-CV) Program

Motion: Motion was made by Councilmember Malone and seconded by Councilmember Estep to approve the consent agenda.

Motion carried by a vote of 5-0.

PUBLIC HEARINGS, MEETINGS, AND OTHER RELATED ITEMS

3A. Approved Ordinance 1466-23, a Specific Use Permit to allow the use “Outside Storage and Display, (Incidental Use)” for the property described as Block F Lot 1, Richland Hills Addition, Richland Hills, Texas, otherwise known as 3333 Rufe Snow, Richland Hills, Texas 76118 PUBLIC HEARING

Assistant to the City Manager Logan Thatcher presented the item to the City Council and advised that the 5,000 square foot property located at 3333 Rufe Snow Drive is a 18,475 square foot lot and is currently zoned Mixed Use. Applicant Penny Luker is seeking a Specific Use Permit (SUP) to permit the use “Outside Storage and Display, (Incidental Use)” in the Mixed Use zone. Mixed Use does require a Specific Use Permit for this Use.

The applicant is requesting an SUP to make the location more attractive and marketable to future businesses who may require outside storage. A pest control group is currently in the certificate of occupancy process, but they would not be permitted to park fleet and store other items outside the building without an SUP. Fleet that stays outside overnight is considered outside storage. The pest control business has passed a building inspection

but failed fire inspection due to parking vehicles inside the building, which is not allowed without a fire suppression system.

Discussion ensued regarding different screening types such as masonry, concrete, or vinyl slats in fencing and the recommendation of the Planning and Zoning Commission.

Applicant Penny Luker, 3333 Rufe Snow, Richland Hills, presented information for the City Council to consider including pictures of the property when she and her husband purchased it and more recent pictures showing renovations and updates made.

Mayor Lopez opened the public hearing at 7:29 p.m. and asked to hear from any proponents followed by opponents of the case.

Hearing none, Mayor Lopez closed the public hearing at 7:30 p.m.

Additional discussion ensued regarding fencing and screening.

Motion: Motion was made by Mayor Pro Tem Bergthold and seconded by Councilmember Malone to approve Ordinance No. 1466-23, a Specific Use Permit to allow the use “Outside Storage and Display, (Incidental Use)” for the property described as Block F Lot 1, Richland Hills Addition, Richland Hills, Texas, otherwise known as 3333 Rufe Snow, Richland Hills, Texas 76118 as presented with the following conditions:

- 1) Only commercial vehicles used in business operations of tenants or owners of the property may be stored pursuant to the Specific Use Permit.
- 2) Fencing and screening shall be required along the east and north sides of the property, and the section of the west side of the property located north of the northwest corner of the existing structure in compliance with Sec. 91-100(e) of the Richland Hills Code. No other current fencing and screening on the property is affected by the approval of this SUP, however such fencing and screening shall remain subject to all applicable City Ordinances now in effect or adopted in the future.

Motion carried by a vote of 5-0.

ORDINANCES & RESOLUTIONS AND OTHER RELATED ITEMS

4A. Approved Ordinance 1467-23 calling a May 6, 2023 Special Election for the purpose of amending the City Charter

City Manager Candice Edmondson advised that the City Council appointed six residents to serve on the Richland Hills Charter Review Committee and tasked the committee with reviewing the City Charter and recommending proposed amendments. In consultation with the City Attorney and City Staff, the Charter Review Committee recommended several amendments that can be included in one of the following categories:

1. The composition and terms of City Council

2. Compliance with state law
3. Correction of grammar/punctuation errors
4. Uniformity with current policies and procedures

The Charter Review Committee presented their proposed amendments to City Council on January 23, 2023. She stated that Ordinance 1467-23 contains the proposition language that will appear on the ballot.

City Attorney James Donovan advised of additional changes made by the City Attorney's Office following the City Council discussion on January 23, 2023.

Discussion ensued regarding providing election information to the public and Council expressed their appreciation to the members of the Charter Review Committee.

Motion: Motion was made by Councilmember Knowlton and seconded by Mayor Pro Tem Bergthold to approve Ordinance 1467-23 calling a May 6, 2023 Special Election for the purpose of amending the City Charter.

Motion carried by a vote of 5-0.

4B. Approved Resolution 572-23 supporting the passage of legislation during the 88th Regular Session of the Texas Legislature to allow for the expenditure of Municipal Hotel Occupancy Tax Revenue for construction of improvements in municipal parks

City Manager Candice Edmondson presented the item and advised that the City receives approximately \$200,000 in hotel occupancy tax revenue annually. These funds are currently used to market the city and its two hotel properties, provides for the salary and benefits of the city's Event and Tourism Coordinator, and pays for a portion of the debt for the construction of The Link Event and Recreation Center.

The Texas Tax Code details how hotel occupancy tax revenue can be used by a municipality. Currently, hotel occupancy tax revenue can be used to renovate existing entertainment venues but cannot be used to build new venues and attractions.

The City Council has expressed interest in pursuing legislation that would allow the city to use the municipal hotel occupancy tax revenue it receives to build new entertainment and sports venues that would draw visitors and tourists to Richland Hills and the surrounding area. Approval of this Resolution would document Council's support and desire to proceed with the legislation.

Motion: Motion was made by Councilmember Estep and seconded by Councilmember Knowlton to approve Resolution 572-23 supporting the passage of legislation during the 88th Regular Session of the Texas Legislature to allow for the expenditure of Municipal Hotel Occupancy Tax Revenue for construction of improvements in municipal parks.

Motion carried by a vote of 5-0.

CONTRACTS, AGREEMENTS, BID AWARDS AND OTHER RELATED ITEMS

5. None.

OTHER ITEMS FOR CONSIDERATION

6. None.

REPORTS & DISCUSSIONS

7. None.

COMMUNITY INTEREST ITEMS

8. Mayor Pro Tem Bergthold advised of several upcoming events:

- Participate in the Citizen Survey through Monday, February 20, 2023, by visiting www.richlandhills.com/citizensurvey;
- Tuesday, February 14, 2023, Richland Hills Literary Society, Richland Hills Public Library, 6:30 p.m.;
- Thursday, March 9, 2023,
 - Senior Lunch Bunch and Bingo, The Link, 12:00 to 2:00 p.m.;
 - Tarrant County Food Pantry, The Link parking lot, 5:30 to 7:00 p.m.;
- Thursday, February 23, 2023, Adult Spelling Bee, El Chico, 6:30 to 8:30 p.m.
- Every Thursday, Coffee Talk, Richland Hills Public Library, 10:00 to 11:30 a.m.;
- 1st, 3rd, and 5th Thursday of the month, Storytime at the library, 6:30 p.m.;
- 2nd and 4th Friday of the month, Arts and Crafts, 6:30 p.m.; and
- Last 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).

1. Section 551.074: Deliberation regarding Personnel Matters
 - a) City Secretary Annual Review

Motion: Motion was made by Councilmember Knowlton and seconded by Councilmember Malone to adjourn into Executive Session at 8:11 p.m.

Motion carried by a vote of 5-0.

Mayor Lopez reconvened into open session at 8:51 p.m.

Motion: Motion was made by Councilmember Knowlton and seconded by Councilmember Malone to approve an employment contract for the City Secretary as discussed in Executive Session.

Motion carried by a vote of 5-0.

ADJOURNMENT

10. A motion was made by Councilmember Estep and seconded by Councilmember Knowlton 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 8:52 p.m.

ATTEST:

APPROVED:

Lindsay Rawlinson, City Secretary

Edward Lopez, Mayor