



# City of Farmers Branch

City Hall  
13000 Wm. Dodson Pkwy.  
Farmers Branch, TX 75234

## Meeting Minutes - Draft City Council

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Tuesday, August 20, 2013

6:30 PM

Council Chambers

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### Study Session Meeting to be held at 4:00 PM in Study Session Room

#### A. STUDY SESSION

Mayor Glancy called the Study Session Meeting to order at 4:00 p.m.

**Presiding:** 1 - Mayor William P. Glancy

**Present:** 5 - Mayor Pro Tem Jeff Fuller, Deputy Mayor Pro Tem Kirk Connally, Council Member Ben Robinson, Council Member Harold Froehlich and Council Member Ana Reyes

**Staff:** 17 - Gary D. Greer City Manager, Peter G. Smith City Attorney, Angela Kelly City Secretary, Rachael Johnson Assistant to the City Manager, Tom Bryson Communications Director, Charles Cox Director of Finance, Sidney Fuller Police Chief, Andy Gillies Director of Planning, Jeff Harting Parks & Recreation Director, John Land Director of Economic Development, Kevin Muenchow Director of Facilities & Fleet, Jim Olk Community Services Director, Steve Parker Fire Chief, Randy Walhood Public Works Director, Mark Samuels Information Services Director, Brian Beasley Human Resources Director and Rick Chaffin Management Consultant

#### A.1 **Discuss regular city council meeting agenda items.**

H.1 - Council Member Robinson asked for clarification regarding the public hearings for the property tax rate. City Manager Gary Greer reported two public hearings would be held, one for tonight and one for September 3, 2013. A budget workshop is scheduled for Saturday, August 24, 2013. Final property tax rate adoption is scheduled to take place at the City Council meeting on September 17, 2013.

#### A.2 **Receive a presentation of annual Code Enforcement Report.**

Jim Olk, Community Services Director, presented the annual Code Enforcement Report. The report included updates on residential enforcement which consisted of proactive property maintenance inspections, complaint response, certificate of occupancy inspections, single family rental license, and apartment license and inspections.

#### A.7 **Receive a presentation by Victoria Harrison to discuss the LBJ Expansion project.**

Mayor Glancy moved this item up on the agenda.

Ms. Victoria Harrison presented her concerns regarding the LBJ expansion project. She requested the City's website include a representative for residents to contact with their questions or concerns relating to the project.

**A.3                    Receive a presentation on the conceptual plan of the new Aquatics Facility.**

Jason Peebles, Recreation Supervisor, presented conceptual plans for the new Aquatics Facility.

**A.4                    Receive an update on Sports Tourism in Farmers Branch.**

*John Land, Director of Economic Development & Tourism provided an update on Sports Tourism in Farmers Branch. The update included a brief history, background, top ten tournaments, current situation of facilities, competition, and future of sports tourism.*

**A.5                    Receive a preliminary update from Metrostudy on the Farmers Branch residential neighborhood analysis.**

David Brown and Brad Colliander from Metrostudy presented preliminary findings of their internal market analysis.

**A.6                    Discussion regarding Senate Bill 1297 Online Message Boards.**

*Due to time constraints this item will be moved to the September 3, 2013 City Council meeting.*

**B.                    INVOCATION & PLEDGE OF ALLEGIANCE**

*Council Member Froehlich gave the Invocation and Mayor Pro Tem Fuller led the Pledge of Allegiance.*

**C.                    CEREMONIAL ITEMS**

*There were no Ceremonial items on this agenda.*

**D.                    REPORT ON STUDY SESSION ITEMS**

Council Member Robinson stated presentations were made regarding the following topics:

Annual Code Enforcement Report  
Conceptual Plan for Aquatic Facility  
Sports Tourism in Farmers Branch  
Preliminary update from metrostudy on a residential neighborhood analysis  
Report from Victoria Harrison relating to concerns regarding the LBJ expansion project

**E.                    ITEMS OF COMMUNITY INTEREST**

Council Member Reyes reported the Branch Forum will host a legislative update with Representative Bennett Ratliff to be held at the Four Corners on August 21, 2013 at 6:30 p.m.

Topics presented for the City Manager's Report included:

-First City Council Meeting in October - rescheduled for Wednesday, October 2 to allow observance of National Night Out  
-Health & Wellness Expo - will be held on Saturday, September 14 at the Community

Recreation Center, admission is free and will feature a variety of health screenings, nutrition information, blood drive, and more

-Dallas BOPA Truck - Farmers Branch residents can drop off certain household chemicals at a collection truck in Dallas, the first event is scheduled for Saturday, August 24 at Southwest Center Mall in Dallas

-Labor Day City Closings - most City offices will be closed on Monday, September 2; the Community Recreation Center and Historical Park will both be open from 8:00 a.m. until 5:00 p.m., there will be no garbage collection

## **F. CITIZEN COMMENTS**

*No one wished to speak.*

## **G. CONSENT AGENDA**

### **Approval of the Consent Agenda**

**A motion was made by Deputy Mayor Pro Tem Connally , seconded by Mayor Pro Tem Fuller, to approve Consent Agenda Items G.1 and G.2. The motion carried by the following vote:**

**Aye:** 5 - Mayor Pro Tem Fuller, Deputy Mayor Pro Tem Connally, Council Member Robinson, Council Member Froehlich and Council Member Reyes

### **G.1 Consider approval of minutes of the City Council meeting held on August 6, 2013 and take appropriate action.**

The Minutes were approved.

### **G.2 Consider approving Resolution No. 2013-050 accepting reimbursement grant funding in the amount of \$30,143 from the Texas Events Trust Fund and take appropriate action.**

This Resolution was approved.

## **H. PUBLIC HEARINGS**

### **H.1 Conduct a public hearing and consider adopting a 57.31-cent property tax rate and take appropriate action.**

Mayor Glancy opened the public hearing. Mike Harrison, 3706 Ridgeoak Way, stated his opposition to a tax increase. No one else wished to speak; Mayor Glancy closed the public hearing.

## **I. REGULAR AGENDA ITEMS**

### **I.1 Receive a presentation by Luther Bernstein to discuss the single family rental license fee.**

*Mr. Bernstein lives at 3466 Courtyard Circle. He reported his concerns regarding the single family rental license fee.*

*Jim Olk, Director of Community Services, reported on actual costs of running the*

*program. No action was taken on this item.*

**I.2                    Receive a presentation from the Trinity River Authority related to the rising cost of wastewater treatment.**

*Ms. Fiona Allen, Northern Region Manager of the Trinity River Authority, gave a presentation relating to the rising cost of wastewater treatment.*

**I.3                    Receive an update on repurposing of Farmers Branch Park for Senior Housing.**

*An overview and presentation was given by Jeff Blackard and Michael Beasley of Blackard Global regarding a proposed mixed-use village development.*

*The following people spoke::*

*Rick Johnson - 2930 Harlee*

*Lib Grimmer - 3225 Damascus Way*

*Nadia Kahn-Roberts - 3562 Cloverdale*

*Ruben Rendon - 13240 Veronica*

*Jeffrey Rous - 12938 Epps Field*

*John Wells - 13521 Heartside Place*

*Carol Dingman - 13223 Glad Acres*

*Vernon Smith - 2715 Bay Meadows Circle*

*Matt Wenthold - 3033 Primrose*

*Jose Galvez - 2661 Danny Lane*

*Tom Bohmier - 14506 Oakmont Drive*

*Elaine Story - 13439 Glenside*

*Judy Byrd - 2980 Eric*

*Bif Harris - 14610 Cypress Point*

*Priscilla Mowinkel - 3336 Dorado Beach*

**I.4                    Consider adopting Ordinance No. 3241 ordering a special election to be held on November 5, 2013 on the proposed sale and redevelopment of Farmers Branch Park, and to authorize the execution of a joint election services contract with the Dallas County Elections Administrator and take appropriate action.**

**A motion was made by Council Member Froehlich, seconded by Council Member Robinson, that this Ordinance be adopted. Motion failed with the following vote:**

**Ayes - Robinson, Froehlich**

**Nos - Reyes, Fuller, Connally**

**A motion was made by Council Member Reyes, seconded by Deputy Mayor Pro Tem Connally, to table this issue for further study. Motion passed with all ayes.**

**I.5                    Consider adopting Ordinance No. 3240 ordering a special election to be held on November 5, 2013 to amend the City's Home Rule Charter, and to authorize the execution of a joint election services contract with the Dallas County Elections Administrator and take appropriate action.**

**A motion was made by Council Member Robinson, seconded by Council Member Froehlich, that this Ordinance be adopted. The motion carried by the**

following vote:

**Aye:** 5 - Mayor Pro Tem Fuller, Deputy Mayor Pro Tem Connally, Council Member Robinson, Council Member Froehlich and Council Member Reyes

**I.6**

**Receive public input and discuss whether to appeal the en banc decision in the litigation styled Villas at Parkside Partners, doing business as Villas at Parkside, et. al. v. City of Farmers Branch, Texas, and Valentin Reyes, et. al. v. City of Farmers Branch, Texas, Case No. 10-10751 pending in United States Court of Appeals for the 5th Circuit, and take appropriate action.**

The following people spoke:

Becky Fischer - 13935 Stardust  
Jennifer Maddux - 2921 Ermine Way  
Bobbie Ligon - 2948 Sinbad Trail  
Evert Franklund - 13723 Janwood  
Barbara Russell - 12427 Veronica  
Robin Bernier - 13830 Heartside Place  
Tom Bohmier - 14506 Oakmont Drive  
Mike Del Valle - 3161 Whitemarsh  
Rene Alzuro - 3105 Brincrest Drive  
Lib Grimmett - 3225 Damascus Way  
Steven Morrison - 14608 Cherry Hills  
Bill Capener - 2755 Mark Twain  
Tom Mayfield - 1805 Glengarry Drive, Carrollton, TX  
Rick Johnson - 2930 Harlee  
John Gorena - 417 Creekwood Lane, Lewisville, TX  
Betty Supinski - 13232 Kerr Trail  
Priscilla Mowinkel - 3336 Dorado Beach  
Carol Dingman - 13223 Glad Acres  
Jose Galvez - 2661 Danny Lane

After some discussion, Mayor Pro Tem Fuller asked Attorney Michael Jung if he would be willing to take the case to the Supreme Court at no cost to the City. Mr. Jung stated yes.

Mayor Glancy read the Executive Session Agenda Item J.1. The City Council took a recess at 9:38 p.m.

The Mayor announces that the items of the agenda for the Regular Session have been concluded. After a short recess, the meeting will convene for items in the Executive Session. The meeting will then reconvene into open Regular Session after the items have been discussed in the Executive Session to consider any necessary action.

**J. EXECUTIVE SESSION**

*The City Council convened into Executive Session at 9:43 p.m.*

**J.1**

**Discuss pending and contemplated litigation - Texas Government Code 551.071:  
Consultation with City Attorney regarding whether to appeal the en banc decision in the case styled Villas at Parkside Partners,**

**doing business as Villas at Parkside, et. al. v. City of Farmers Branch, Texas, and Valentin Reyes, et. al. v. City of Farmers Branch, Texas, Case No. 10-10751 pending in United States Court of Appeals for the 5th Circuit.**

*The City Council concluded Executive Session at 9:50 p.m.*

**K. THE CITY COUNCIL RECONVENES INTO OPEN SESSION**  
**Consider necessary action on items discussed in the Executive Session.**

The City Council reconvened into Open Session at 9:51 p.m.

The following motion was made relating to Agenda Item J.1:

A motion was made by Council Member Robinson, seconded by Council Member Froehlich, to appeal the en banc decision in the case styled Villas at Parkside Partners, doing business as Villas at Parkside, et. al. v. City of Farmers Branch, Texas. The motion passed with the following vote:

Ayes - Froehlich, Robinson, Fuller

Nos - Reyes, Connally

**L. ADJOURNMENT**

**A motion was made by Council Member Robinson, seconded by Council Member Froehlich, that this meeting be adjourned. The motion carried by the following vote:**

**Aye:** 5 - Mayor Pro Tem Fuller, Deputy Mayor Pro Tem Connally, Council Member Robinson, Council Member Froehlich and Council Member Reyes

The meeting adjourned at 9:53 p.m.

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William P. Glancy, Mayor

ATTEST:

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Angela Kelly, City Secretary