



City of Farmers Branch

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

Meeting Minutes - Draft City Council

Tuesday, June 18, 2013

6:00 PM

Council Chambers

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

A. STUDY SESSION

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: 20 - Gary D. Greer, Peter G. Smith, Angela Kelly, Rachael Johnson, Tom Bryson, Charles Cox, Sidney Fuller, Andy Gillies, Jeff Harting, John Land, Kevin Muenchow, Jim Olk, Steve Parker, Randy Walhood, Brian Beasley, Mark Young, Rick Chaffin, Shane Davis, John Roach and Lee Hammock

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

A.1 **Discuss regular City Council meeting agenda items.**

I.2 - Mayor Pro Tem Fuller asked if the developer's contract included language so the City is not left maintaining the landscaping in the medians. Andy Gillies, Planning and Zoning Director, reported there is not language as such in the developer's contract because there is no landscaping in the medians.

A.2 **Receive a presentation regarding Mercer Crossing development.**

Mr. Gillies stated two different cases have been submitted, of which neither meets all the zoning requirements for the area known as Mercer Crossing. Representatives from Centurian American and Billingsley Company presented their conceptual master plans. Centurian American proposed a master planned mixed-use residential village and the Billingsley Company proposed industrial.

After some discussion, City Council directed City Administration to go with commercial development in Mercer Crossing.

A.3 **Discuss City Council liaison appointments.**

The following liaison changes were made:

Senior Adult Services - Kirk Connally

Metrocrest Service Center - Kirk Connally

Trinity River Authority - Harold Froehlich

North Texas Commission - Ana Reyes

Municipal Judge Committee - William P. Glancy, Ben Robinson, and Jeff Fuller

*Travel Expense Review Committee - Ana Reyes, Ben Robinson, and Kirk Connally
Metrocrest Hospital Authority - Kirk Connally
Metrocrest Medical Foundation - Kirk Connally
Metrocrest Family Medical Clinic - Kirk Connally*

All other designations remained the same.

A.4 Receive a presentation from the Family Advisory Board regarding a Friends of Farmers Branch Ambassador Program.

Sally Derrick, Family Advisory Board Chair, gave a presentation about regarding a Friends of Farmers Branch Ambassador Program. The goal of the program is to engage existing Farmers Branch families and encourage them to get involved in City events and programs, while also educating them with information about the City so they can spread the word about Farmers Branch in an effort to continue to recruit families to the City.

The City Council directed City Administration to include \$5,000 in the FY 2013-2014 fiscal year budget for the program.

A.5 Receive a report on curbside recycling.

Shane Davis, Solid Waste Administrator, presented background information on recycling in Farmers Branch, an overview of the recycling process, methods of storage/collection of recyclable materials, and the impact of implementing a curbside recycling program.

After some discussion, City Council directed City Administration to form a citizen committee for research and evaluation, and to have an item placed on a ballot for the voters to decide if they want a recycling program.

A.6 Discussion of items to be placed on a future City Council meeting agenda (discussion is limited to determination of whether to place an item on a future City Council meeting agenda).

No items were discussed.

Mayor Glancy called the Regular Meeting to order at 6:09 p.m.

B. INVOCATION & PLEDGE OF ALLEGIANCE

Deputy Mayor Pro Tem Connally gave the Invocation. Council member Froehlich led the Pledge of Allegiance.

C. CEREMONIAL ITEMS

C.1 Consider Board and Commission appointments and take appropriate action.

A motion was made by Deputy Mayor Pro Tem Connally, seconded by Council Member Reyes, that Joseph Dingman be appointed to serve on the TIF No. 1 & 2. The motion carried unanimously.

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

D. REPORT ON STUDY SESSION ITEMS

Council Member Robinson reported on the following:

Two different zoning cases were submitted for the area known as Mercer Crossing. One proposed a mixed-use residential village and the other proposed industrial. The City Council directed City Administration to go with commercial development. The case will still have to be formally presented.

Following the May election, new designations of City Council liaisons were made to serve on local organizations that provide programs and services to the community.

A Friends of the Farmers Branch Ambassador Program was approved and City Administration was directed to include funds in the amount of \$5,000 in the next fiscal year budget for the program.

A report was presented on curbside recycling. City Administration will research exact costs and will put the item on a ballot to go before the voters.

E. ITEMS OF COMMUNITY INTEREST

City Manager Gary D. Greer presented the City Manager Report:

Economic Development Top 10

Congratulations to Economic Development Director John Land and his team for their second consecutive Top 10 placement on the Dallas Business Journal's index of biggest Economic Development Agencies.

TXI Announces Move to Farmers Branch

Cement, building material and energy services company Texas Industries has announced that they have signed a lease on 44,000 square feet in Park West on LBJ at Luna in Farmers Branch.

Independence Day Festivities

Independence Day Festivities will be held at the Farmers Branch Historical Park on Wednesday, July 3rd. The gates will be open at 6:30 and admission is free. Traditional fireworks will conclude the evening after dark.

New Website Launch

We have launched a new City website, now up and running at the new web address www.farmersbranchtx.gov.

F. CITIZEN COMMENTS

Vicki Harrison is glad the City Council has moved the start of the council meeting to 6:30 p.m. She is also grateful the Citizen Comments are back.

Carol Dingman thanked the City Council for restoring Citizen Comments.

Elizabeth Villafranca said she is excited about the possibility of having curbside recycling in Farmers Branch. She encouraged use of the 95 gallon containers. She also thanked the City Council for restoring Citizen Comments.

G. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made to approve the Consent Agenda. The motion carried unanimously.

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 June 4, 2013 and take appropriate action.

The minutes were approved.

G.2 Consider excusing the absence of Council Member Ben Robinson at the June 4, 2013 City Council meeting and take appropriate action.

The absence was excused.

G.3 Consider accepting the final plat of Elan City Centre, Lot 1, Block A and take appropriate action.

The final plat was accepted.

G.4 Consider adopting Ordinance No. 3229, approving and adopting rate schedule "RRM - Rate Review Mechanism" for Atmos Energy Corporation, Mid-Tex Division and take appropriate action.

The ordinance was adopted.

G.5 Consider approving Resolution No. 2013-032 authorizing the City Manager to execute a Professional Services Agreement with Schrickel, Rollins and Associates, Inc. to prepare plans and specifications for the Hutton Lift Station Improvements and take appropriate action.

The resolution was approved.

G.6 Consider approving Resolution No. 2013-037 authorizing the City Manager to execute an amendment to the landfill engineering services contract with Weaver Boos Consultants LLC - Southwest relating to the City's TCEQ application to amend the City's solid waste permit for operation of the Camelot Landfill and take appropriate action.

The resolution was approved.

G.7 Consider approving Resolution No. 2013-042 changing the start time for City Council meetings and take appropriate action.

The resolution was approved.

H. PUBLIC HEARINGS

There were no Public Hearings on the agenda.

I. REGULAR AGENDA ITEMS**I.1 Consider approving Resolution No. 2013-038 for a Site Plan Amendment submitted by Flooring Services Incorporated, located at 2020 Valley View Lane and take appropriate action.**

Andy Gillies, Director of Planning & Zoning, explained Flooring Services Incorporated is requesting an amendment to their site plan for additional thirty-one (31) parking spaces.

A motion was made by Council Member Robinson, seconded by Mayor Pro Tem Fuller, that this resolution be approved. The motion carried unanimously.

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

I.2 Consider adopting Ordinance No. 3225 abandoning a drainage easement and approving Resolution No. 2013-024 authorizing the City Manager to execute a Developer's Contract with Mercer Luna, LP and Mercer Knightsbridge, LP, and accepting the final plat of Mercer Crossing South, Lots 1 and 2, Block A and take appropriate action.

Mr. Gillies reported on highlights of the Developer's Contract, which requires the owners to deposit funds in the amount of \$20,000 with the City for future construction, extension, and connection of a trails system on the property to an existing trail located on the west side of Luna Road.

A motion was made by Deputy Mayor Pro Tem Connally, seconded by Council Member Froehlich, that this Ordinance be adopted. The motion carried unanimously.

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

I.3 Consider approving Resolution No. 2013-040 authorizing the City Manager to enter into an interlocal agreement with the City of Carrollton, City of Coppell and Town of Addison to purchase, install and maintain a shared public safety radio system, and take appropriate action.

Discussion and vote of Agenda Items I.3 and I.4 was combined. Deputy Chief Mark Young provided the history and background of the public safety radio system.

Mayor Pro Tem Fuller voiced concern about combining services with other cities.

The vote for Agenda Item I.3 and I.4 were combined. A motion was made by Council Member Robinson, seconded by Deputy Mayor Pro Tem Connally, that the Resolutions be approved. The motion carried unanimously.

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

- I.4 Consider approving Resolution No. 2013-041 authorizing the City Manager to enter into contract with Harris Inc. to purchase, install, and maintain a public safety radio system to serve the Cities of Farmers Branch, Carrollton, Coppell and the Town of Addison, and take appropriate action.**

Discussion and vote for Agenda Item I.3 and I.4 were combined. Refer to Agenda Item I.3 for details.

- I.5 Discuss selection of a Chairperson for the 2013 Charter Review Committee and take appropriate action.**

Mayor Glancy explained previously appointed Chairperson Bill Binford had resigned and suggested Nancy Hardie.

A motion was made by Council Member Froehlich, seconded by Council Member Robinson, appointing Nancy Hardie as Chairperson for the 2013 Charter Review Committee. The motion carried unanimously.

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

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.

Mayor Glancy read the Agenda for items on Executive Session.

J. EXECUTIVE SESSION

The City Council convened into Executive Session at 7:18 p.m.

- J.1 Discuss land acquisitions - Texas Government Code Section 551.072:
Discuss the purchase, sale, exchange, lease or value of real property in the following area - for the area generally bounded by I-35, Valwood Parkway, Josey Lane, and I-635.**

- J.2 Discuss pending and contemplated litigation - Texas Government Code Section 551.071:
Pending litigation relating to Fabela, et. al v. City of Farmers Branch, et. al., Civil Action No. 3:10-CV-1425-D in the US Dist Ct. for the Northern District of Texas (Dallas Division).**

Council Member Reyes submitted an Affidavit and recused herself from the discussion for Agenda Item J.2.

The City Council concluded Executive Session at 8:04 p.m.

K. THE CITY COUNCIL RECONVENES INTO OPEN SESSION

The City Council reconvened into open session at 8:04 p.m.

Council Member Reyes returned to the meeting.

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

Motion by Council Member Froehlich, seconded by Council Member Robinson, authorizing the City Manager to negotiate and sign on behalf of the City an agreement to sell to the Farmers Branch Local Government Corporation property described as 12908 Holbrook Drive, 12909 Holbrook Drive, 12915 Holbrook Drive, 12918 Holbrook Drive, 12919 Holbrook Drive, 13006 Holbrook Drive, 13010 Holbrook Drive, 13023 Holbrook Drive, 12817 Holbrook Drive (subject to City closing its purchase), 12927 Harrisburg Circle the City of Farmers Branch, Dallas County, Texas, for a sales price not less than \$50,000 plus standard closing and acquisition costs, and to sign such other agreements, documents, and any amendments thereto, as the City Manager, in consultation with the City Attorney, deems reasonable and necessary with respect to the closing of said transaction which agreement shall be subject to an agreement to resell the property to K Hovnanian Homes for the construction of residential units of approximately 2,200 square feet of living space and a minimum appraised value of \$250,000, with closing to occur on at least three of the lots within 30 days after contract execution, and closing on at least 4 additional lots within 180 days after initial closing of first lot, and closing on the remaining lots within 270 days after the date of closing of the first lot and each lot subject to restriction agreement executed concurrently with the resale of the property. The motion carried unanimously.

No action was taken on Agenda Item J.2.

L. ADJOURNMENT

A motion was made by Council Member Froehlich, seconded by Deputy Mayor Pro Tem Connally, that this meeting be adjourned. The motion carried unanimously.

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 8:07 p.m.

William P. Glancy, Mayor

ATTEST:

Angela Kelly, City Secretary