



City of Farmers Branch

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

Meeting Minutes - Final City Council

Tuesday, May 20, 2014

6:30 PM

Council Chambers

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

A. STUDY SESSION

Mayor Glancy called the Study Session Meeting to order at 4:02 p.m. He reported Mayor Pro Tem Fuller was absent due to an automobile accident.

Mayor Pro Tem Fuller did arrive after the Study Session Meeting and was in attendance for the Regular Session Meeting.

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: 16 - Gary D. Greer City Manager, Peter G. Smith City Attorney, John Land Managing Director - Operations, Angela Kelly City Secretary, Allison Cook Economic Development Manager, Sidney Fuller Police Chief, Andy Gillies Director of Planning, Rachael Johnson Assistant to the City Manager, Kevin Muenchow Fleet & Facilities Director, Jim Olk Community Services Director, Steve Parker Fire Chief, John Roach Special Projects Manager, Mark Samuels Information Services Director, Texx Stewart Recreation Superintendent, Randy Walhood Public Works Director and Stacy Wright Director of Environmental Health

A.1

Discuss regular City Council meeting agenda items.

I.5 - Deputy Mayor Pro Tem Connally asked for City Administration's assessment of the property owner's recommendation. Stacy Wright, Director of Environmental Health, stated they generally go along with the report submitted by TRC. Council Member Reyes asked if Agenda Items I.4 and I.5 could be combined for discussion at the Regular Session Meeting. City Attorney Pete Smith stated they could be combined.

A.2

Discuss City Council meeting dates for the summer and take appropriate action.

After a brief discussion, the consensus of the City Council was to change the start time of Study Session Meetings to 5:00 p.m. starting with the next regular meeting, and to hold only one regular meeting in June and July. Meeting dates will be June 17, 2014 and July 15, 2014.

Mayor Glancy ready the agenda for Executive Session Item J.1.

The Study Session Meeting ended at 4:20 p.m.

J. EXECUTIVE SESSION

The City Council convened into Executive Session at 4:24 p.m.

- J.1 Discuss economic development incentives - Texas Government Code Section 551.087:
Consider economic development incentives for the relocation of an electronic recycling company.**

The City Council concluded Executive Session at 4:30 p.m.

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

Mayor Glancy called Open Session to order at 4:35 p.m.

Motion by Deputy Mayor Pro Tem Connally, seconded by Council Member Robinson, to authorize the City Manager to negotiate and execute an economic development incentive agreement on behalf of the City with E-Recycling Corps which is relocating to the City of Farmers Branch and will lease approximately 35,000 square feet of space at the Park West building located at 1505 LBJ Freeway, Farmers Branch, Texas, for a period of at least seven (7) years, to provide a cash grant in the amount of \$35,000 to be paid within 30 days after occupancy of the premises. The motion passed unanimously.

B. INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Glancy called the Regular Session Meeting to order at 6:30 p.m.

Council Member Robinson gave the Invocation and Mayor Glancy led the Pledge of Allegiance.

C. CEREMONIAL ITEMS

- C.1 Consider appointment of Roy Morales as a Board Member Emeritus of the Parks and Recreation Board, presentation of a proclamation recognizing his service, and take appropriate action.**

Mayor Glancy presented a proclamation to Mr. Roy Morales thanking him for his many years of support of the City and the Parks and Recreation Department.

A motion was made by Mayor Pro Tem Fuller, seconded by Council Member Reyes, appointing Roy Morales as a Parks and Recreation Board Member Emeritus. 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

- C.2 Consider accepting a donation from the Farmers Branch Woman's Club for the Senior Center and take appropriate action.**

Mayor Glancy thanked the Farmers Branch Woman's Club for their generous

donation.

A motion was made by Council Member Froehlich, seconded by Council Member Reyes, that this Donation be accepted. 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

C.3 Receive a proclamation honoring the 50th anniversary of Janie Stark Elementary.

Mayor Glancy presented a proclamation honoring the 50th anniversary of Janie Stark Elementary.

C.4 Consider Board and Commission appointments and take appropriate action.

Councilmember Reyes encouraged anyone interested in serving on the Family Advisory Board, including the youth positions, to submit an application. Sally Derrick spoke about the youth positions and their role on the Board.

A motion was made by Council Member Reyes, seconded by Deputy Mayor Pro Tem Connally, approving appointment of Matthew Marchant as the Primary Representative and Harold Froehlich as the Alternate Representative on the Regional Transportation Council (RTC). 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

D. REPORT ON STUDY SESSION ITEMS

Deputy Mayor Pro Tem Connally reported on the following:

Summer Schedule - The consensus of the City Council was to change the start time of Study Session Meetings to 5:00 p.m. starting with the next regular meeting, and to hold only one regular meeting in June and July. Meeting dates will be June 17, 2014 and July 15, 2014.

E. ITEMS OF COMMUNITY INTEREST

Councilmember Reyes reminded everyone about the Democratic and Republican Primary Runoff. Early Voting is May 19 through May 23 and Election Day is May 27, 2014.

Mayor Glancy announced the recent groundbreaking for Monitronics.

Topics reported for the City Manager's Report included:

Liberty Fest presents Stars and Strings-to be held on Saturday, May 24 at the Historical Park; gates open at 6:30 p.m.; free admission; food trucks, beer and wine, bounce houses, and face painting

Rabid Wild Animals - there have been two confirmed cases in the past few weeks; residents are encouraged to avoid contact with wild animals; make sure all pets are up to date on rabies vaccinations

City offices will be closed on Monday, May 26 in observance of Memorial Day; the

Community Recreation Center and Historical Park are the only facilities open (8 to 5:00); no garbage collection on Memorial Day

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 through G.3. 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 May 6, 2014 and take appropriate action.

The Minutes were approved.

G.2 Consider excusing the absence of Council Member Ben Robinson at the May 6, 2014 City Council meeting and take appropriate action.

The absence was approved.

G.3 Consider approving Resolution No. 2014-038 appointing a representative to serve on the Dallas Area Rapid Transit (DART) Board of Directors and take appropriate action.

This Resolution was approved.

H. PUBLIC HEARINGS

There were no Public Hearing items on the agenda.

I. REGULAR AGENDA ITEMS

I.1 Consider approving Resolution No. 2014-039 canvassing and declaring the results of the May 10, 2014 General Election for Mayor and City Council District 2; and canvassing and declaring the results of the May 10, 2014 Special Local Option Election, and take appropriate action.

The official canvass, made and certified by Mayor Glancy for the City of Farmers Branch, Texas, of the returns of the general election held on May 10, 2014 for the purpose of electing a Mayor and a Council Member District 2, and the returns of the special local option election for the legal sale of beer and wine for off-premise consumption only, as reflected by the results shown below:

GENERAL ELECTION - MAYOR:Bob Phelps

Early Voting in Person - 725
Early Voting by Mail - 132
Election Day - 426
Provisional EV/ED - 0
Election Day ADA - 0
Total - 1,283

Carol Dingman

Early Voting in Person - 527
Early Voting by Mail - 27
Election Day - 253
Provisional EV/ED - 0
Election Day ADA - 0
Total - 807

David Koch

Early Voting in Person - 803
Early Voting by Mail - 99
Election Day - 499
Provisional EV/ED - 0
Election Day ADA - 0
Total - 1,401

GENERAL ELECTION - COUNCIL MEMBER DISTRICT 2:Luther Bernstein

Early Voting in Person - 126
Early Voting by Mail - 18
Election Day - 108
Provisional EV/ED - 0
Election Day ADA - 0
Total - 252

Harold Froehlich

Early Voting in Person - 275
Early Voting by Mail - 41
Election Day - 171
Provisional EV/ED - 0
Election Day ADA - 0
Total - 487

Garrett Smith

Early Voting in Person - 149
Early Voting by Mail - 14
Election Day - 87
Provisional EV/ED - 0
Election Day ADA - 0
Total - 250

SPECIAL LOCAL OPTION ELECTION:For

Early Voting in Person - 1,455
Early Voting by Mail - 170
Election Day - 844
Provisional EV/ED - 0

Election Day ADA - 0
Total - 2,469

Against

Early Voting in Person - 567
Early Voting by Mail - 83
Election Day - 327
Provisional EV/ED - 0
Election Day ADA - 0
Total - 977

A motion was made by Mayor Pro Tem Fuller, seconded by Deputy Mayor Pro Tem Connally, that this Resolution be approved. 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.2

Consider approving Resolution No. 2014-040 canvassing and declaring the results of the May 10, 2014 Special Bond Election and take appropriate action.

The official canvass, made and certified by Mayor Glancy for the City of Farmers Branch, Texas, of the returns of the special bond election held on May 10, 2014 for the issuance of \$23,500,000 general obligation bonds for street improvements, as reflected by the results shown below:

SPECIAL BOND ELECTION:

For

Early Voting in Person - 1,365
Early Voting by Mail - 152
Election Day - 785
Provisional EV/ED - 0
Election Day ADA - 0
Total - 2,302

Against

Early Voting in Person - 652
Early Voting by Mail - 102
Election Day - 357
Provisional EV/ED - 0
Election Day ADA - 0
Total - 1,111

A motion was made by Deputy Mayor Pro Tem Connally, seconded by Council Member Reyes, that this Resolution be approved. 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.3

Consider approving Resolution No. 2014-041 authorizing execution of a Residential Demolition/Rebuild Program Incentive Agreement for the owner of property located at 13416 Briarbrook Drive and take appropriate action.

Allison Cook, Economic Development Manager, reported the project includes demolition and construction of a new single-family detached residential dwelling. The

current improvement value is approximately \$99,780 and the estimated value of the new dwelling will be \$340,000.

A motion was made by Council Member Robinson, seconded by Council Member Froehlich, that this Resolution be approved. 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

Mayor Glancy reported Agenda Items I.4 and I.5 would be combined.

I.4 Receive a report from TRC on the Farmers Branch Creek Flow Study and take appropriate action.

I.5 Request of Todd Womble to provide recommendations to the City Council on behalf of the owners of property along Farmers Branch Creek concerning the Farmers Branch Creek Flow Study.

Mr. James Machin from TRC presented their findings and recommendations of the study performed on Farmers Branch Creek.

Mr. Todd Womble asked the City Council to approve the recommendations presented in the study, along with the resident recommendations.

Mayor Glancy stated the following residents were unable to attend the Council meeting but had submitted their recommendations:

Ann Barfield - 2971 North Sunbeck Circle

Terry Phillips - 2963 North Sunbeck Circle

The following people spoke:

John Brownlee - 3116 Brookhollow Drive

Scott Deatherage - 6718 Avalon

Eric Mattingly - 3320 Rockmartin

Leslie Norwood - 2740 Farmers Branch Lane

Tracy Lewis - 2705 Bay Meadows Circle

Vernon Smith - 2715 Bay Meadows Circle

A motion was made by Mayor Pro Tem Fuller, seconded by Council Member Reyes, accepting the TRC Report and the six landowner recommendations, including modifications changing Item #1 from thirty (30) days to forty-five (45) days, and adding an Item #7 that a water study be completed. The motion carried by the following vote:

Nay: 1 - Council Member Robinson

Aye: 4 - Mayor Pro Tem Fuller, Deputy Mayor Pro Tem Connally, Council Member Froehlich and Council Member Reyes

I.6 Consider approving Resolution No. 2014-031 adopting the City's Water Conservation Plan and take appropriate action.

John Roach, Special Projects Manager, reported the Texas Water Code requires the City update and revise our Water Conservation Plan every five years, which is to be submitted to the Texas Water Development Board.

Motion by Mayor Pro Tem Fuller, seconded by Deputy Mayor Pro Tem Connally, that this Resolution be approved. The motion passed with 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.7

Consider approving Resolution No. 2014-037 denying Atmos Energy Corporation, Mid-Tex Division's requested rate increase with an effective date of June 1, 2014 and take appropriate action.

John Roach, Special Projects Manager provided background regarding the denial of Atmos Energy's requested rate increase.

A motion was made by Council Member Robinson, seconded by Deputy Mayor Pro Tem Connally, that this Resolution be approved. 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.8

Consider approving Resolution No. 2014-044 supporting the Farmers Branch Bike and Pedestrian Trail program by authorizing the City to submit a 2014 Transportation Alternatives Program (TAP) grant application to the Regional Transportation Council of North Central Texas Council of Government and take appropriate action.

Andy Gillies, Planning Director, reported the City proposes to submit a grant application that would be used for the construction of a new freestanding pedestrian bridge east of existing northbound Marsh Lane vehicular bridge and a new signalized pedestrian crosswalk at the intersection of Rosser and Valley View Lane. This grant will reimburse the City approximately 75% of the cost of the two projects.

A motion was made by Council Member Robinson, seconded by Council Member Reyes, that this Resolution be approved. 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.9

Consider approving Resolution No. 2014-042 authorizing acceptance of a public trail and pedestrian easement from David and Justina Ward for the construction of a pedestrian bridge on the east side of Marsh Lane over Farmers Branch Creek and take appropriate action.

Andy Gillies, Planning Director reported the proposed construction of the Marsh Lane bridge will require easement dedication granting a 10 foot wide permanent easement and a 5 foot wide temporary construction easement to construct a portion of the bridge on the property located at 13802 Wooded Creek.

A motion was made by Deputy Mayor Pro Tem Connally, seconded by Mayor Pro Tem Fuller, that this Resolution be approved. 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

L. ADJOURNMENT

A motion was made by Deputy Mayor Pro Tem Connally, seconded by Council Member Reyes, 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 8:54 p.m.

William P. Glancy, Mayor

ATTEST:

Angela Kelly, City Secretary