



City of Farmers Branch Meeting Minutes City Council

Farmers Branch City Hall
13000 Wm Dodson Pkwy
Farmers Branch, Texas

Tuesday, October 25, 2022

6:00 PM

Council Chambers

Council Present: Mayor Robert Dye, Mayor Pro Tem David Merritt, Deputy Mayor Pro Tem Traci Williams, Council Member Omar Roman, Council Member Michael Driskill, Council Member Richard Jackson

Staff Present: Interim City Manager John Land, Assistant City Manager Benjamin Williamson, City Secretary Stacy Henderson, Assistant City Secretary Argie Ree Potter, City Attorney Braden Metcalf, Police Chief David Hale, Fire Chief Daniel Latimer, Director of Human Resources Brian Beasley, Director of Public Works Marc Bentley, Director of Sustainability & Health Shane Davis, Director of Planning & Economic Development Allison Cook, Director of Finance Sherrelle Evans-Jones, and Director of Communications Jeff Brady

CALL TO ORDER - STUDY SESSION

Mayor Dye called the Study Session meeting to order at 3:00 p.m.

A.1 Discuss regular agenda items.

Council Member Driskill had a question related to Agenda Item H.7 (Purchase of AEDs and Lifepaks) asking for clarification between the two items. Fire Chief Daniel Latimer, explained the difference between the two items and noted that AEDs would also be located at City facilities. Council Member Driskill asked that the website be updated to note where AEDs can be found throughout the city.

Mayor Dye and Council discussed Agenda Item H.9 (Appointment to Planning and Zoning Commission) noting their choice for appointment to the Commission citing experience and qualifications between the two applicants on the eligible applicant list. Council Member Jackson discussed emails he received regarding applicant, Mr. McGinnis, that was currently involved in a property related lawsuit. He noted emails received from citizens did not believe Mr. McGinnis should be appointed to a board or commission. Various members of Council discussed the matter noting the personal lawsuit wasn't relevant to the appointment process.

After some discussion, the City Council recommended to move Ann Christman from Alternate 1 to Place 2 regular position on the Historical Preservation and Restoration Board; promote Barbara Leedy from Alternate 1 to Place 2 regular position, and David Reid from Alternate 2 to Alternate 1 on the Parks and Recreation Board; and promote Tina Bennett-Burton from Alternate 2 to Alternate 1 on the Senior Advisory Board. Council Members Merritt, Williams and Driskill recommended appointing Michael McGinnis to the Planning and Zoning Commission and Michael Rogan to the Historical Preservation and Restoration Board. Council Members Jackson and Roman recommended appointing Michael Rogan to the Planning and Zoning Commission. The Council decided to continue the discussion at the regular meeting and move Item H.9 from the Consent Agenda to the Regular Agenda.

A.2 Discuss future agenda items.

The Council did not have any items to add to future agenda items.

EXECUTIVE SESSION

- B.1 Council may convene into closed Executive Session pursuant to Section 551.074 Personnel Deliberation, of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment and duties of the Interim City Manager.**

Council may convene into closed Executive Session pursuant to Section 551.074 Personnel Deliberation, of the Texas Government Code to discuss the appointment and employment of the City Manager.

Council may convene into closed Executive Session pursuant to Section 551.071 (2) Consultation with City Attorney, and Section 551.074 Personnel Matters, of the Texas Government Code to discuss and hear a citizen charge under City Charter Sections 2.02 and 2.19 for removal of Council Member Traci Williams for failure to continuously reside in her Council District.

The City Council convened into executive session at 3:22 p.m.

CALL TO ORDER - REGULAR MEETING (6 P.M.)

Mayor Dye the called the regular meeting to order at 6:00 pm.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Dye lead the Invocation and Pledge of Allegiance.

CEREMONIAL ITEMS

- E.1 Consider accepting the ‘*You Are Beautiful*’ public art piece donation; and take appropriate action.**

Mayor Dye accepted the You Are Beautiful art piece and thanked artist, Sara McClair, for her contribution.

A motion was made by Mayor Dye, seconded by Mayor Pro Tem Merritt, that this Ceremonial item be accepted. The motion carried by the following vote:

Aye: Mayor Dye, Mayor Pro Tem Merritt, Deputy Mayor Pro Tem Williams, Council Member Roman, Council Member Driskill, and Council Member Jackson

- E.2 Presentation of awards to the winners in the 2022 Art Scavenger Hunt**

Mayor Dye presented awards to the winners of the 2022 Art Scavenger Hunt. Arts and Nature Tourism Manager Maria Minter thanked everyone for participating and thanked the Arts and Culture Committee for organizing the event. Mayor Dye announced the winners of the event that included: Johnny Jackson, Isa and Isley Johnson, Avery and Kennedy Root, Anna, Roy, Nicolas and Nicole Ramos, and Amy and Janelle McCopping.

REPORT ON ITEMS OF COMMUNITY INTEREST

Director of Communications Jeff Brady gave the report on items of community interest. Mayor Dye announced that former Farmers Branch Mayor Bob Phelps had passed away, and expressed prayers and condolences for the family. Mayor Dye also announced that Deputy Mayor Pro Tem Traci Williams had moved out of her district and therefore resigned her position. A special meeting would be held on November 1, 2022 to call for a special election to fill the seat for District 3.

CITIZEN COMMENTS

The following individuals spoke during Citizen Comments:

David Silver, 2879 Millwood, thanked Council for improved communication. He discussed code enforcement concerns, and improvements needed to the FBTX Connects app.

Pamela Silver, 2879 Millwood, discussed code enforcement concerns in her neighborhood, businesses being conducted from residential properties, and neighbors that would not maintain their property.

Ellen Thielen, 12935 Epps Field, spoke to the varying redistricting plans and suggested Council review all plans again before deciding on a map.

Beverly Nelson, 3334 Rolling Knoll, discussed the language used in an email from Mayor Dye to Betty Supinski, stating the Code of Ethics had been violated and called for the Mayor's removal from office.

Rick Johnson, Harlee Drive, discussed Council decorum and noted he was not in favor of Map No. 7.

Kevin Caldwell, Tanglewood Drive, discussed Council behavior, and read an email written by the Mayor to a Council Member that was disrespectful in response and was an ethics violation.

Vicki Harrison, 3706 Ridgeoak Way, honored former Mayor Bob Phelps and discussed disappointment in the behavior of the current Mayor and Council. Ms. Harrison believed the Charter should be enforced and uphold any ethics violations.

James Lockridge, 11771 Mira Lago, discussed City Council code of ethics and holding Council responsible for their actions. Mr. Lockridge discussed the stockpile owned by TxDOT that should be removed.

Kirk Manley, 2936 S. Sunbeck, discussed the TxDOT stock pile at IH635 and Josey Lane. He thanked the City for removing trash and debris around the site, and meeting with the citizens and TxDOT. Mr. Manley asked the City Council to engage with State officials to intervene.

Betty Supinski, 13232 Kerr Trail, informed Mayor Dye she did not appreciate his response to her email.

Joseph Riegel, 13647 Greystone Drive, discussed integrity and doing the right thing.

Mike Harrison, 3706 Ridgeoak, objected to the appointment of Mike McGinnis to the Planning and Zoning Commission because he was involved in a lawsuit.

Tommy Hylkema, 2581 Brandywine, thanked the Police and volunteers that worked the recent Bloomin Bluegrass event. Ms. Hylkema also suggested code enforcement staff stagger their hours to be more accessible on weekends and after hours.

Johannas Hylkema, 2581 Brandywine, spoke to Council and citizens to conduct themselves in a respectful way.

Former Mayor John Dodd, discussed the passing of former Mayor Bob Phelps and his contributions to the City.

CONSENT AGENDA

Mayor Dye announced that Agenda Item H.9 would be moved to the Regular Agenda for further discussion.

A motion was made by Mayor Pro Tem Merritt, seconded by Council Member Roman, to approve Items H.1 through H.8 on the Consent Agenda. The motion carried by the following vote:

Aye: Mayor Pro Tem Merritt, Deputy Mayor Pro Tem Williams, Council Member Roman, Council Member Driskill, and Council Member Jackson

- H.1 Consider excusing the absence of Mayor Robert Dye from the October 11, 2022 City Council meeting; and take appropriate action.**
- H.2 Consider excusing the absence of Deputy Mayor Pro Tem Traci Williams from the regular session of the October 11, 2022 City Council meeting; and take appropriate action.**
- H.3 Consider approving Resolution No. 2022-125 authorizing the purchase of uniforms and related equipment for the Farmers Branch Fire Department from Galls, LLC in excess of fifty thousand dollars (\$50,000); and take appropriate action.**
- H.4 Consider approving Resolution No. 2022-126 authorizing the purchase of EMS Fire Department Medical Supplies for the Farmers Branch Fire Department from Bound Tree Medical, LLC in excess of fifty thousand dollars (\$50,000); and take appropriate action.**
- H.5 Consider approving Resolution No. 2022-129 authorizing the agreement for medical direction for the Farmers Branch Fire Department from Beacon Emergency Services Team, P.A. d/b/a BEST EMS in the amount of fifty-three thousand dollars (\$52,932); and take appropriate action.**
- H.6 Consider approving Resolution No. 2022-130 authorizing the agreement for ninety (90) NFPA 1582 compliant wellness and fitness exams for the Farmers Branch Fire Department staff from Life Scan in the amount of sixty-one thousand one hundred ninety dollars (\$61,190); and take appropriate action.**
- H.7 Consider approving Resolution No. 2022-131 authorizing the purchase of twenty-nine (29) Automated External Defibrillators (AEDs) and four (4) LIFEPAKs from Stryker in the amount of one hundred ninety-four thousand six hundred dollars (\$194,600); and take appropriate action.**
- H.8 Consider approving Resolution No. 2022-140 authorizing the City Manager to execute a Professional Services Agreement with Teague Nall & Perkins, Inc. for design of the Denton Drive Infrastructure Improvements Project; and take appropriate action**

PUBLIC HEARINGS

There were no public hearing items on this agenda.

REGULAR AGENDA ITEMS

- J.1 Receive a biannual update on Planning and Zoning Commission's work program for Fiscal Year 2021-2022.**

Amber Raley, Chair of Planning and Zoning Commission, gave a presentation on their bi-annual update, reviewing accomplishments for 2021-22, cases heard before the Commission during the last year, special projects completed, and the Gold Planning award earned in 2021. Ms. Raley discussed the Commission's work on the Comprehensive Plan, enhanced landscaping regulations passed, and work on the development of a tree preservation ordinance.

Mayor Dye and Council thanked Ms. Raley for her leadership and efforts on the Planning and Zoning Commission.

- J.2 Discuss and receive presentation from staff regarding upcoming Public Engagement Push #2 activities related to the citywide Comprehensive Plan update.**

Deputy Director of Planning Surupa Sen gave a presentation discussing the second public engagement push for the Comprehensive Plan update. Phase 2 would be a 15-18-month process. Ms. Sen provided a summary of Phase 1 engagements that included exercises in person and surveys online to gather input from citizens. Ms. Sen explained that Phase 2 would include focus group discussions, walking workshops, and workshops throughout

the city that would include residents and businesses. Ms. Sen discussed the walking workshops that would show how private property interacts with public space, and possible improvements needed. Ms. Sen discussed the website page dedicated to the Comprehensive Plan update and when activities would occur.

Council Member Jackson suggested the walking workshop have accommodations available for residents that may want to attend but may be unable to be mobile the entire length of the outlined route.

J.3 Receive recommendation from the Redistricting Commission regarding review of proposed Redistricting Maps 7, 8 and 9, and consider adopting Ordinance No. 3767 establishing City Council Districts in accordance with Section 7.10 of the City Charter; and take appropriate action.

Redistricting Chairman Bronson Blackson explained that the Redistricting Commission met on September 14, 2022 at the request of the City Council. After reviewing Maps 8 and 9, with regards to Map 7, the Commission unanimously voted to maintain Map 7 as their recommendation.

Council Member Roman stated there was new metrics introduced as part of the review process related to Spanish-Surname Registered Voters (SSRV). Council Member Roman asked if that metric was considered as part of the recommendation made by the Commission. Attorney Bob Heath, noted that SSRVs were discussed at the last meeting. He explained that the SSRV metrics include the total age population and voting age population. SSRV provides data related to the Hispanic voting strength and this data compilation is completed later in the process. Council Member Roman stated that the SSRV numbers were instrumental in deciding what map should be selected and asked why the Commission wasn't using that data from the beginning. Attorney Bob Heath explained that typically when you have high Hispanic voting age population, you will also have a high Hispanic surname and those metrics were typically reviewed at the end.

Council Member Roman noted that the City Charter stated when creating redistricting maps, splitting neighborhoods should be avoided when possible. Council Member Roman believes that Maps 8 and 9 take into consideration the least number of neighborhoods that were split, and also addresses concerns received from citizens and Commission members.

Committee Chairman Blackson noted that each member of the Commission had an opportunity to speak and provide their recommendation during all meetings. Council Member Roman asked if any committee member had reached out since the September meeting expressing concerns. Mr. Blackson stated that since the meeting, one member has stated that they disagree with Map 7 and would like to review maps 7, 8 and 9 from the beginning.

The following individuals spoke on this item:

Brenda Brodrick, 13531 Rawhide Pkwy stated that she was in favor of Map 9 which she believes most evenly divides the five districts, balancing homes and apartments.

Pat Edmiston, 14215 Tanglewood Drive, was in favor of map 9, and if necessary would like the Committee to start over with the three maps.

Rick Johnson, Harlee Drive, noted that the districts should return to open seats with no districts, and would like the Commission to review the maps again and the process for reviewing maps.

Vicki Harrison, 3706 Ridgeoak Way, would like a full review of the maps, she was not in favor of map 7 due to the split neighborhoods. Ms. Harrison was in favor of map 9, but believes Maps 8 and 9 meet the criteria.

Mike Harrison, 3706 Ridgeoak Way, would like to postpone the vote on the redistricting maps so citizens can review further. He believes that Map 9 was the best option, followed by Map 8.

A.J. Cotton, 3062 Eric Lane, would like to postpone the vote to further review the maps, and was not in favor of map 7.

Council Member Jackson thanked the Commission for their work and asked if prepared maps were brought to the first meetings of the Redistricting Commission. Attorney Bob Heath explained that several maps were brought to the first several meetings that complied with the law as a starting point for the Commission to work from. Chairman Blackson discussed how the workshops were conducted and that Commission members were broken into groups to draw various map boundaries in the first several meetings. Council Member Jackson was concerned that the maps presented by Mr. Heath in the beginning of the process were not incorporated into Map 7 that was recommended by the Commission. Council Member Jackson explained that a map was needed that complied with the City Charter and was fair and considerate of the minority vote, which Map 7 did not address those concerns. Council Member Jackson explained that Maps 8 and 9 maintain the Hispanic voting age population and improves that metric for District 2. Mr. Jackson believed Map 9 best represented Farmers Branch.

Chairman Blackson addressed the process explaining that a checklist was used taken from the Charter outlining the rules to follow. Each map was scored using the checklist, and if it didn't meet the criteria, the map could not be voted upon.

Council Member Jackson asked if that checklist was used when the Commission reconvened on September 14. Chairman Blackson stated that it was not. Council Member Jackson asked why the checklist was not used during that meeting. Chairman Blackson explained that the checklist was used in the beginning to ensure maps reach a certain level. Once that level was achieved, the checklist was no longer needed. Council Member Jackson recommended that Maps 7, 8 and 9 be reviewed using the checklist.

Mayor Pro Tem David Merritt thanked the Commission for their work and discussed examples of neighborhoods that have divided streets due to the Census block. Mayor Pro Tem Merritt stated that he had concerns with Maps 8 and 9 being generated outside of the Commission purview, and suggested the checklist also be used by the Commission to review Maps 8 and 9.

Deputy Mayor Pro Tem Williams thanked the Commission for their work and wanted to work with the map that best protected the City, which Map 7 represented. Deputy Mayor Pro Tem Williams supported the Committees recommendation of Map 7.

The Council asked the Redistricting Commission to meet and review Maps 7, 8 and 9 against the checklist that was used in the beginning of the process to ensure the maps meet the criteria set out by the Charter.

A motion was made by Mayor Dye, seconded by Deputy Mayor Pro Tem Williams to take no action on the Redistricting Maps. The motion passed with the following vote:

Aye: Council Member Roman, Council Member Driskill, Deputy Mayor Pro Tem Williams, Council Member Jackson, and Mayor Pro Tem Merritt

The Council considered Agenda Item H.9 that was removed from the Consent Agenda.

H.9 Consider appointments to the Planning and Zoning Commission; Historical Preservation and Restoration Board, Parks and Recreation Board, and Senior Advisory Board; and take appropriate action.

A motion was made by Mayor Dye, seconded Council Member Roman to appoint the following individuals and promote the following board/commission members: The motion carried by the following vote:

Nay: 2 - Council Member Roman and Council Member Jackson

Aye: 3 - Council Member Driskill, Deputy Mayor Pro Tem Williams, and Mayor Pro Tem Merritt

- Promote Ann Christman from Alternate 1 to Place 2 regular member position on the Historical Preservation and Restoration Board;
- Promote Barbara Leedy from Alternate 1 to Place 2 regular member position;
- Promote David Reid from Alternate 2 to Alternate 1 on the Parks and Recreation Board;
- Promote Tina Bennett-Burton from Alternate 2 to Alternate 1 on the Senior Advisory Board;

- Appoint Michael McGinnis to the Planning and Zoning Commission at Alternate 2;
- Appoint Michael Rogan to the Historical Preservation and Restoration Board as Alternate 2.

TAKE ANY ACTION NECESSARY AS A RESULT OF THE CLOSED EXECUTIVE SESSION

A motion was made by Mayor Dye, seconded by Council Member Jackson, to accept the resignation of Deputy Mayor Pro Tem Traci Williams. The motion carried by the following vote:

Aye: Council Member Roman, Council Member Driskill, Deputy Mayor Pro Tem Williams, Council Member Jackson and Mayor Pro Tem Merritt

A motion was made by Mayor Dye, seconded by Council Member Driskill, that the hearing to be held under City Charter, Section 2.02 and 2.19 for the removal of Council Member Williams has become moot and the matter was closed without further action. The motion carried by the following vote:

Aye: Council Member Roman, Council Member Driskill, Deputy Mayor Pro Tem Williams, Council Member Jackson, and Mayor Pro Tem Merritt

Mayor Dye announced that a special meeting will be held on November 1, 2022 to call a special election to fill the vacancy for District 3. Deputy Mayor Pro Tem Williams would continue to serve until a successor was elected.

Deputy Mayor Pro Tem Williams clarified her reasons why she moved outside her district and expressed her privilege to serve the citizens of Farmers Branch.

Mayor Dye updated the residents on the search for the new City Manager position and noted that the Council had unanimously decided to not move forward with the candidates presented, and would continue to work on finding the most qualified candidate to represent Farmers Branch.

ADJOURNMENT

Mayor Robert Dye adjourned the meeting at 8:58 p.m.

Approved by: _____
Mayor Pro Tem David Merritt

Signed by: _____
Stacy Henderson, City Secretary