



City of Farmers Branch

Farmers Branch City Hall
13000 Wm Dodson Pkwy
Farmers Branch, Texas
75234

Meeting Minutes - Final City Council

Tuesday, May 19, 2015

6:00 PM

Council Chambers

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

A. STUDY SESSION

NOTE - Council Member Ben Robinson was in attendance.

Mayor Phelps called the Study Session Meeting to order at 4:00 pm.

Presiding: 1 - Mayor Bob Phelps

Present: 5 - Mayor Pro Tem Kirk Connally, Deputy Mayor Pro Tem Harold Froehlich, Council Member Ana Reyes, John Norwood and Mike Bomgardner

Staff: 20 - Gary D. Greer City Manager, John Land Managing Director - Operations, Peter G. Smith City Attorney, Brian Beasley Human Resources Director, Tom Bryson Communications Director, Sidney Fuller Police Chief, Andy Gillies Director of Community Services, Jeff Harting Parks & Recreation Director, Rachael Johnson Assistant to the City Manager, Kevin Muenchow Fleet & Facilities Director, Steve Parker Fire Chief, Randy Walhood Public Works Director, Mark Samuels Information Services Director, Katy Evans Environmental Health Manager, Tim Dedear Deputy Chief, John Roach Special Projects Manager, Mitzi Davis Special Projects Manager, Kevin Barrett Court Administrator, Alexis Jackson Senior Planner and Gary Spoerl Street Superintendent

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

No items were discussed.

A.2 **Discussion of Pedestrian Operated Lighted Crosswalk Signs in the City.**

Public Works Director Randy Walhood and Street Superintendent Gary Spoerl presented three options for pedestrian operated crosswalk signs: (1) Rectangular Rapid Flashing Beacon, (2) RTC System, and (3) Hawk Pedestrian Crosswalk. The general consensus of the City Council was to use the RTC system.

A.3 **Reception for City Council Member Ben Robinson in honor of his service on the Farmers Branch City Council, and for newly elected City Council Member Elect John Norwood for District 3 and City Council Member Elect Mike Bomgardner for District 5.**

Mayor Phelps announced there would be a short recess and then a reception honoring Council Member Ben Robinson and new Council Member Elect John Norwood and Mike Bomgardner that would begin at 5:30 pm.

Mayor Phelps read the agenda for Executive Session Items J.1 and J.2. Study Session concluded at 4:20 pm.

J. CLOSED SESSION

City Council recessed into Closes Session at 4:22 pm.

**J.1 Discuss personnel matters - Texas Government Code Section 551.074:
Discuss the appointment of an Alternate Municipal Court Judge for the City of Farmers Branch.**

**J.2 Discuss land acquisitions - Texas Government Code Section 551.072:
Discuss purchase, exchange, sale, lease, or value of real property in the area generally bounded by IH-35, Webb Chapel, I-635, and Valwood Parkway/Brookhaven Club Drive.**

The City Council concluded Closed Session at 4:43 pm and took a short recess until the 5:30 pm reception.

B. INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Phelps called the Regular Meeting to order at 6:00 pm.

Brother Eddy Ketchersid gave the Invocation and led the Pledge of Allegiance.

C. CEREMONIAL ITEMS

C.1 Consider approving Resolution No. 2015-050 canvassing and declaring the results of the May 9, 2015 General Election for City Council District 3 and City Council District 5, and take appropriate action, including swearing in of duly elected City Council Members.

The official canvass, made and certified by Mayor Phelps for the City of Farmers Branch, Texas, of the returns of the general election held on May 9, 2015 for the purpose of electing a City Council Member for District 3 and a City Council Member for District 5, as reflected by the results shown below:

General Election - City Council Member District 3:

Andy Olivo - 164 (23.56%)

Brenda Brodrick - 124 (17.82%)

John Norwood - 408 (58.62%)

Total - 696

General Election - City Council Member District 5:

David Merritt - 199 (38.12%)

Mike Bomgardner - 323 (61.88%)

Total - 522

A motion was made by Mayor Pro Tem Connally, seconded by Council Member Reyes, that this Resolution be approved. The motion carried by the following

vote:

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

The Statement of Officer and Oath of Office for John Norwood, City Council Member District 3, and Mike Bomgardner, City Council Member District 5, was administered by Mayor Phelps. Newly appointed Council Members Norwood and Bomgardner took their seats at the dais.

C.2 Presentation honoring City Council Member Ben Robinson for his years of service on the Farmers Branch City Council.

Mayor Phelps presented a plaque to Ben Robinson for his years of service on the Farmers Branch City Council.

C.3 Elect a City Council Member to serve as Mayor Pro Tem and Deputy Mayor Pro Tem, and take appropriate action.

A motion was made by Mayor Phelps, seconded by Council Member Bomgardner, nominating and appointing Kirk Connally as Mayor Pro Tem and Harold Froehlich as Deputy Mayor Pro Tem. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Norwood and Bomgardner

C.4 Presentation of the Farmers Branch Fire Department's 2015 Fire and Life Safety Excellence Award.

Mayor Phelps presented the 2015 Fire and Life Safety Excellence Award to Mr. Ab Badre, Chief Building Engineer for Occidental Tower, located at 5005 LBJ.

C.5 Consider accepting a donation of \$2,500 from the Farmers Branch Woman's Club for the Farmers Branch Senior Center and take appropriate action.

Ms. Jan Wooldridge, President of the Farmers Branch Woman's Club, presented a donation to Mayor Phelps.

A motion was made by Council Member Reyes, seconded by Mayor Pro Tem Connally, that this Donation be accepted. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Norwood and Bomgardner

C.6 Consider accepting a donation of portable goals from the Carrollton-Farmers Branch Soccer Association and take appropriate action.

Nicole James, representing the Carrollton-Farmers Branch Soccer Association presented Mayor Phelps with a donation for portable soccer goals.

A motion was made by Deputy Mayor Pro Tem Froehlich, seconded by Council

Member Bomgardner, that this Donation be accepted. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Norwood and Bomgardner

D. REPORT ON STUDY SESSION ITEMS

Council Member Reyes reported on the following:
Pedestrian Operated Lighted Crosswalk Signs - City Administration presented three options for pedestrian operated crosswalk signs: (1) Rectangular Rapid Flashing Beacon, (2) RTC System, and (3) Hawk Pedestrian Crosswalk. The general consensus of the City Council was to use the RTC system.

E. CITY MANAGER'S REPORT AND ITEMS OF COMMUNITY INTEREST

Topics for the City Manager's Report included:
Aquatics Opening - to be held on Saturday, May 23 for the grand opening of the "Frog Pond" outdoor area at the Farmers Branch Aquatics Center; completes the new facility, paired with the Margaret Young Natatorium that opened last month

Stars & Strings - also to be held on May 23 as Liberty Fest presents "Stars & Strings" featuring the Fort Worth Symphony Orchestra in concert at the Farmers Branch Historical Park; gates open at 6:30 pm; admission and parking are free

Memorial Day Closings - most City offices and facilities will be closed on Monday, May 25 in observance of the Memorial Day holiday; the only exceptions are the Farmers Branch Community Recreation Center and Historical Park, both open from 8:00 am until 5:00 pm; there will be no garage collection on Memorial Day

F. CITIZEN COMMENTS

No one wished to speak.

G. CONSENT AGENDA

G.2 Consider approving Resolution No. 2015-043 relating to the appointment of an Alternate Municipal Court Judge for the City of Farmers Branch and take appropriate action.

This item was tabled until the June 16, 2015 City Council Meeting.

Approval of the Consent Agenda

A motion was made by Deputy Mayor Pro Tem Froehlich , seconded by Council Member Norwood, to approve G.1 and G.3 on the Consent Agenda. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Norwood and Bomgardner

G.1 Consider approval of minutes of the City Council meeting held on May 5, 2015, and take appropriate action.

The Minutes were approved.

- G.3 Consider approving Resolution No. 2015-047 accepting a Right-of-Way Dedication Deed for street improvements on Morgan Parkway, and a request for final plat approval of MBP East, Lot 1, Block A, and take appropriate action.**

This Resolution was approved.

H. PUBLIC HEARINGS

There were no Public Hearing items on this agenda.

I. REGULAR AGENDA ITEMS

- I.1 Consider approving Resolution No. 2015-049 authorizing execution of a Residential Demolition/Rebuild Program Incentive Agreement for the owner of the property located at 3353 Pine Tree Court and take appropriate action.**

Managing Director John Land reported the current value of the property is approximately \$139,280 and the estimated value of the new dwelling will be \$605,000.

A motion was made by Mayor Pro Tem Connally, seconded by Deputy Mayor Pro Tem Froehlich, that this Resolution be approved. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Norwood and Bomgardner

- I.2 Consider approving Resolution No. 2015-037 approving a Detailed Site Plan for a multi-family development consisting of approximately 13.85 acres and containing 495 dwelling units located at 11500 Lago Vista East, and take appropriate action.**

Community Services Director Andy Gillies reported the applicant, Pillar Income Asset Management, proposes the development of a new multi-family community, which will consist of three buildings and contain 495 dwelling units.

A motion was made by Deputy Mayor Pro Tem Froehlich, seconded by Council Member Bomgardner, that this Resolution be approved. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Norwood and Bomgardner

- I.3 Consider adopting Ordinance No. 3325 approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division that adopts new natural gas rates for the City of Farmers Branch and take appropriate action.**

Jan Rugg, Manager of Public Affairs for Atmos, provided background regarding the

negotiated settlement agreement.

The following person spoke:
John Wells - 13521 Heartside

A motion was made by Council Member Reyes, seconded by Council Member Bomgardner, that this Ordinance be adopted. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Norwood and Bomgardner

I.4

Consider approving Resolution No. 2015-053 authorizing a Commercial Facade Revitalization Grant Agreement for 12895 Josey Lane, Suite 140, and take appropriate action.

Managing Director John Land reported the estimated improvements total \$510,000 and the grant request is for \$50,000.

A motion was made by Council Member Norwood, seconded by Deputy Mayor Pro Tem Froehlich, that this Resolution be approved. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Norwood and Bomgardner

I.5

Consider approving Resolution No. 2015-048 authorizing a Commercial Facade Revitalization Grant Agreement for 13610 Midway Road and take appropriate action.

Mayor Phelps reported discussion for Agenda Items I.5, I.6, and I.7 would be combined. Mr. Land reported BH Properties has submitted applications for facade grants for three buildings. City Administration recommendation is to deny.

A motion was made by Council Member Norwood, seconded by Deputy Mayor Pro Tem Froehlich, that an amended Resolution be approved, to include combined funding not to exceed \$35,000 for 13610 Midway Road, 13740 Midway Road/Suite 700, and 13720 Midway Road/Suite 200. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Norwood and Bomgardner

I.6

Consider approving Resolution No. 2015-051 authorizing a Commercial Facade Revitalization Grant Agreement for 13740 Midway Road, Suite 700, and take appropriate action.

I.7

Consider approving Resolution No. 2015-052 authorizing a Commercial Facade Revitalization Grant Agreement for 13720 Midway Road, Suite 200, and take appropriate action.

K. RECONVENE INTO REGULAR SESSION AND TAKE ANY ACTION NECESSARY AS A RESULT OF THE CLOSED SESSION

No action was taken relating to Agenda Item J.1.

The following motions were made relating to Agenda Item J.2:

Motion by Deputy Mayor Pro Tem Froehlich, seconded by Mayor Pro Tem Connally, having received the report of the City's Building Official, that the building at 2706 Mount View Drive be declared a dangerous structure and that the City Manager be authorized to take such action on behalf of the City as may be reasonable and necessary to purchase Lot 3, Block F, Farmersdell Addition, an addition to the City of Farmers Branch, Dallas County, Texas, for a purchase price not to exceed \$105,000 plus standard closing and acquisition costs and to sign, or authorize the City's agent 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. Motion passed unanimously.

Motion by Mayor Pro Tem Connally, seconded by Council Member Reyes, having received the report of the City's Building Official, that the building at 2704 Mount View Drive be declared a dangerous structure and that the City Manager be authorized to take such action on behalf of the City as may be reasonable and necessary to purchase Lot 2, Block F, Farmersdell Addition, an addition to the City of Farmers Branch, Dallas County, Texas, for a purchase price not to exceed \$105,000 plus standard closing and acquisition costs and to sign, or authorize the City's agent 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. Motion passed unanimously.

L. ADJOURNMENT

A motion was made by Deputy Mayor Pro Tem Froehlich, seconded by Council Member Reyes, that this Meeting be adjourned. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Connally, Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Norwood and Bomgardner

The Meeting adjourned at 8:00 pm.

Bob Phelps, Mayor

ATTEST:

Angela Kelly