



# City of Farmers Branch

City Hall  
13000 William Dodson  
Pky.  
Farmers Branch, TX 75234

## Meeting Minutes - Draft City Council

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Tuesday, August 5, 2014

6:30 PM

Council Chambers

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### Study Session Meeting to be held at 5:00 PM in the Study Session Room

#### A. STUDY SESSION

Mayor Phelps called the Study Session Meeting to order at 5:02 pm

**Presiding:** 1 - Mayor Bob Phelps

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

**Staff:** 19 - Gary D. Greer City Manager, Peter G. Smith City Attorney, Charles Cox Managing Director - Administration, John Land Managing Director - Operations, Angela Kelly City Secretary, Rachael Johnson Assistant to the City Manager, Tom Bryson Communications Director, Derrick Birdsall Historical Park Superintendent, Sidney Fuller Police Chief, Jeff Harting Parks & Recreation Director, Alexis Jackson Senior Planner, Kevin Muenchow Fleet & Facilities Director, Steve Parker Fire Chief, Randy Walhood Public Works Director, Mark Samuels Information Services Director, Brian Beasley Human Resources Director, Allison Cook Economic Development Manager, Mitzi Davis and Shawna Eikenberry Management Analyst

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

I.1 - Mayor Phelps asked Charles Cox, Managing Director for clarification on this item. Mr. Cox reported on truth-in-taxation laws and legislative guideline requirements. After some discussion, the consensus of the City Council was to hold a budget workshop on August 19, 2014 at 3:00 pm.

#### A.2 **Receive an update on resident concerns regarding road construction at the intersection of I635 and Marsh Lane.**

Mrs. Vicki Harrison reported concerns she had regarding the I635 road construction. After some discussion, City Manager Gary Greer asked Mrs. Harrison to list what she would like done in writing so her concerns could be addressed.

#### A.3 **Receive a report on the Storm Water Utility Feasibility Study.**

Mr. Trey Shanks with Freese and Nichols provided an update, including figures and the impact of various exemptions, on the Storm Water Utility Fee.

#### A.4 **Discuss a new Residential Revitalization Incentive Program.**

Due to time restraints, this item was postponed until the August 19, 2014 City Council

meeting.

The Study Session Meeting concluded at 6:16 pm

## **B. INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Phelps called the Regular Meeting to order at 6:36 pm.

Mayor Phelps gave the Invocation and Mayor Pro Tem Fuller led the Pledge of Allegiance.

## **C. CEREMONIAL ITEMS**

### **C.1 Recognition of city staff by the Girl Scouts of the Northeast Texas Council.**

Representatives from the Girl Scouts presented a Community Partner Award to Tony Derrick, Kim Chapman, Derrick Birdsall, Jamie Rigsby, and Danielle Brissette for their work and dedication to Camp Norwester, which is held annually at the Historical Park.

### **C.2 Recognition of Friends of the Farmers Branch Historical Park for their work at the Historical Park.**

City Administration recognized Friends of the Historical Park for their work at the Historical Park.

Jan Wooldridge, representing the Friends of the Historical Park, presented Dolly Graul with an award of appreciation for her dedication and support to the Friends of the Historical Park. A picnic table has been donated to the Historical Park in her honor.

### **C.3 Consider Board and Commission appointments and take appropriate action.**

**Motion by Council Member Robinson, seconded by Deputy Mayor Pro Tem Connally, appointing the following to the Library Board:**

**Erica Brown**

**Vicki Goode**

**Heather O'Hara**

**Virginia Welch**

**Diane Graifemberg**

**Linda Curry**

**Motion passed with the following vote:**

**Ayes - Froehlich, Fuller, Robinson, Connally**

**Nos - Reyes**

**Motion by Council Member Froehlich, seconded by Mayor Pro Tem Fuller, appointing the following to the Planning and Zoning Commission:**

**Nancy Hardie**

**Bronson Blackson**

**Sergio De Los Santos**

**Motion passed with all ayes.**

**Motion by Deputy Mayor Pro Tem Connally, seconded by Council Member**

Robinson, appointing the following to the Zoning Board of Adjustment/Building Code Board of Appeals (ZBA):

Wayne Baham

Jesse Sprague

Ruben Rendon

Chris Smith

Robert Schies

Motion passed with all ayes.

City Attorney Peter Smith reported there were only four positions available to fill at this time for the ZBA.

Motion by Deputy Mayor Pro Tem Connally, seconded by Mayor Pro Tem Fuller, to reconsider the previous motion. Motion passed with all ayes.

Motion by Deputy Mayor Pro Tem Connally, seconded by Council Member Reyes, appointing the following to the ZBA:

Wayne Baham

Chris Smith

Robert Schies

Ruben Rendon - Alternate

Motion passed with all ayes.

Motion by Mayor Pro Tem Fuller, seconded by Deputy Mayor Pro Tem Connally, appointing the following to the Parks and Recreation Board:

Robert Davis

Adriane Young

Jim Barrett

Mason Addy

Ernest Tiller

Robert Dye

Motion passed with all ayes.

Motion by Council Member Robinson, seconded by Council Member Reyes, appointing the following to the Historical Preservation and Restoration Board:

Barbara Sisserson-Honnoll

Roger McKemie

Gretchen Cash

Ron Doerler

Patsy Mayor

Andy Olivo

Motion passed with all ayes.

Motion by Council Member Robinson, seconded by Deputy Mayor Pro Tem Connally, appointing the following to the Senior Advisory Board:

James Rice

Jeanne Sawyer

Martha Talavera

Willard Zimmerer

Alan Reid

Bruce DeGrasse

George Neil Thomas - Alternate

Motion passed with all ayes.

Motion by Mayor Pro Tem Fuller, seconded by Deputy Mayor Pro Tem Connally, appointing the following to the Animal Shelter Advisory Board:

Judi Hacker

Terry Ford  
Roxann Lovseth  
Motion passed with all ayes.

Motion by Mayor Pro Tem Fuller, seconded by Council Member Froehlich,  
appointing the following to the Community Watch Committee:

Angie Mayo  
Wanda Barker  
Jennifer Maddux  
Jeremiah Ellis  
Motion passed with all ayes.

Motion by Deputy Mayor Pro Tem Connally, seconded by Council Member  
Froehlich, appointing the following to the Family Advisory Board:

John Pfaffenberger  
Stephanie Cervantes  
Ricky Belt - Youth Position  
Ellie Scott - Youth Position  
Shaeffer Wilkerson - Youth Position  
Motion passed with all ayes.

#### **D. REPORT ON STUDY SESSION ITEMS**

Mayor Pro Tem Fuller reported on the following:

Resident concerns regarding I635 and Marsh Lane road construction - Mrs. Vicki Harrison reported concerns she had regarding the I635 road construction. After some discussion, Mrs. Harrison will provide a list to the City Manager so her concerns can be addressed.

Report on Storm Water Utility Feasibility Study - Mr. Trey Shanks with Freese and Nichols provided an update, including figures and the impact of various exemptions, on the Storm Water Utility Fee.

Residential Revitalization Incentive Program - Due to time restraints, this item was postponed until the August 19, 2014 City Council meeting.

#### **E. ITEMS OF COMMUNITY INTEREST**

Deputy Mayor Pro Tem Connally reminded everyone of the Fire Station No. 2 relocation meeting to be held on Wednesday, August 6 at 6:00 pm at the Farmers Branch Municipal Court room located at the Justice Center.

Items presented for the City Manager's Report included:

Empty the Shelter Day - in an effort to reduce the population at the Animal Adoption Center, the City will be joining with other cities and organizations in sponsoring "Empty the Shelter Day" where dozens of pets will be available with adoption fees waived; to be held on Saturday, August 16 from 10 am to 5 pm at the Animal Adoption Center

Vintage Baseball - the Farmers Branch Mustangs Vintage Baseball Club is seeking new players; no sports experience necessary; play by 1860s rules; open practices are coming up from 6 to 8 pm on Tuesdays, August 12 and September 16 at the Historical Park

Citizen Police Academy - seeking applicants for the Fall session; open to Farmers Branch residents, 18 and older; sessions broken into classes over a 10 week period;

enrollment is free; contact the Police Department

Historical Park is seeking volunteers - to assist with school tours, special events and projects; no museum experience is necessary; free training and information session to be held on August 7 at 6:30 pm at the Historical Park

West Nile Reminder - residents can be notified by text or email when spraying is taking place by going to the City's homepage and clicking on WEST NILE VIRUS PREVENTION

## **F. CITIZEN COMMENTS**

No one wished to speak.

## **G. CONSENT AGENDA**

Council Member Robinson requested Agenda Item G.2 be moved from the Consent Agenda to the Regular Agenda.

### **G.1 Consider approval of minutes of the City Council meetings held on June 30, 2014 and July 15, 2014 and take appropriate action.**

**Motion by Deputy Mayor Pro Tem Connally, seconded by Council Member Robinson, that the Minutes be approved. The motion carried by the following vote:**

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

## **H. PUBLIC HEARINGS**

### **H.1 Continue a public hearing and consider adopting Ordinance No. 3290 amending Planned Development No. 81 (PD-81) to allow a 10.58 acre "Mixed Use Residential" development including a Conceptual Site Plan, and take appropriate action. The proposed Conceptual Site Plan includes the development of approximately 448 multi-family units with several Special Exceptions. The site is located on the southwest corner of the intersection of the eastbound frontage road of the LBJ Freeway (I- 635) and Mira Lago Boulevard within PD-81, commonly known as 11771 Mira Lago Boulevard.**

Mayor Pro Tem Fuller recused himself from this item.

Alexis Jackson, Senior Planner, reported the applicant is requesting an amendment changing the subdistrict classification of this tract from "Employment Core" to the "Mixed Residential" subdistrict. Eric Crenshaw, representing the applicant, was present for the meeting.

Mayor Phelps announced the was a continuation of the public hearing from July 15, 2014; no one wished to speak. Mayor Phelps closed the public hearing.

**A motion was made by Council Member Robinson, seconded by Deputy Mayor Pro Tem Connally, that this ordinance be adopted with an amendment to**

change the walking trail from five feet to ten feet, as referenced in Section 3, A.4 of Ordinance No. 3290. The motion carried by the following vote:

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

## **I. REGULAR AGENDA ITEMS**

### **G.2 Consider approving Resolution No. 2014-064 authorizing a contract for the exterior restoration of the Dodson House located at the Historical Park and take appropriate action.**

Derrick Birdsall, Historical Park Superintendent, reported on the exterior restoration that will be completed. Council Member Froehlich asked if the structure is insured as a historical building. Mr. Greer stated he would check.

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

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

### **I.1 Consider adopting a motion to place a proposal to adopt a property tax rate of \$0.6241 on the City Council agenda of September 16, 2014; schedule two public hearings on the proposed rate for August 19, 2014 and September 2, 2014; and take appropriate action.**

Managing Director Charles Cox reported this is only a motion to establish a maximum tax rate that can be adopted. This also sets forth a timetable for required public hearings.

**A motion was made by Council Member Robinson, seconded by Deputy Mayor Pro Tem Connally, to approve placing a proposal to adopt a tax rate of \$0.6241 on the City Council agenda for September 16, 2014 at 6:30 pm, to schedule two public hearings on the proposed tax rate of \$0.6241 for August 19, 2014 and September 2, 2014. The motion carried by the following vote:**

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

### **I.2 Receive a report on the Storm Water Utility Feasibility Study.**

Mr. Trey Shanks with Freese and Nichols provided an update, including figures and the impact of various exemptions, on the Storm Water Utility Fee. He also reported the steps required in order to move forward with the project.

**A motion was made by Council Member Froehlich, seconded by Deputy Mayor Pro Tem Connally, to move forward with the project. The motion carried by the following vote:**

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

### **I.3 Receive a report on the intersection of Josey Lane and Cooks Creek Place.**

Randy Walhood, Public Works Director, presented traffic options for this intersection. The general consensus of the City Council was to extend the median northward at the intersection on the south side and to mark the lanes of traffic on Cooks Creek designating turn lanes.

Sima Cheregosha (2713 Cooks Creek Place) stated the intersection is dangerous and she has repeatedly asked for a traffic light at the intersection.

**Motion by Council Member Robinson, seconded by Deputy Mayor Pro Tem Connally, to accept the report submitted by the traffic consultant not to have a signalized intersection, not to install a pedestrian crosswalk, and to reevaluate in six months. If not satisfied at that time then consider closing the intersection. The motion carried with the following vote:**

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

Mayor Phelps read the agenda for Executive Session Items J.1 and J.2.

The City Council recessed at 8:29 pm.

## **J. EXECUTIVE SESSION**

The City Council convened into Executive Session at 8:35 pm.

**J.1                    Discuss economic development incentives - Texas Government Code Section 551.087:  
Discuss economic development incentives for Project Fever.**

**J.2                    Discuss personnel matters - Texas Government Code Section 551.074:  
Discuss and deliberate a complaint made against a Council Member.**

The City Council concluded Executive Session at 8:56 pm.

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

Mayor Phelps called the Open Session to order at 8:58 pm

The following motion was made on Agenda Item J.1:

**Motion by Mayor Pro Tem Fuller, seconded by Council Member Reyes, to authorize the City Manager to negotiate and execute an economic development incentive agreement on behalf of the City with Project Fever which is relocating to the City of Farmers Branch and will lease approximately 90,000 square feet of space located at 1601 LBJ Freeway, Farmers Branch, Texas, for a period of at least 10 years to provide a cash grant in the amount of \$90,000 to be paid within 30 days after occupancy of the premises. The motion passed with all ayes.**

City Attorney Pete Smith provided a summary of the review of the allegations

relating to Agenda Item J.2. The following motion was made on this item:  
**Motion by Mayor Phelps, seconded by Deputy Mayor Pro Tem Connally, that the report on the review of the allegations brought forth against Mayor Pro Tem Fuller and Deputy Mayor Pro Tem Connally be made available for the public. Motion passed with all ayes.**

## **L. ADJOURNMENT**

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

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

The City Council meeting adjourned at 9:05 pm.

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Bob Phelps, Mayor

ATTEST:

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Angela Kelly, City Secretary