



# City of Farmers Branch

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

## Meeting Minutes - Final City Council

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Tuesday, February 3, 2015

6:00 PM

Council Chambers

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

#### A. STUDY SESSION

Mayor Phelps called the Study Session Meeting to order at 4:00 pm. Note - Council Member Ben Robinson arrived at 4:26 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:** 20 - Gary D. Greer City Manager, Charles Cox Managing Director - Administration, John Land Managing Director - Operations, Kevin Laughlin City Attorney, Allison Cook Economic Development Manager, Shawna Eikenberry Management Analyst, Sidney Fuller Police Chief, Andy Gillies Director of Planning, Jeff Harting Parks & Recreation Director, Rachael Johnson Assistant to the City Manager, Kevin Muenchow Fleet & Facilities Director, Jim Olk Community Services Director, Steve Parker Fire Chief, Randy Walhood Public Works Director, John Roach Special Projects Manager, Mitzi Davis, Shane Davis Solid Waste Administrator, Katy Evans Environmental Health Manager, Angela Kelly City Secretary and LaJeana Thomas Executive Assistant

#### A.1

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

Mayor Pro Tem Fuller asked if Agenda Items 1.4, 1.5, 1.6, and 1.8 could be moved to the Consent Agenda. Since a large number of residents were expected to turn out for Agenda Item 1.3, Council Member Reyes asked if the item could be moved up to the beginning of the Regular Agenda.

Mayor Phelps announced Agenda Items 1.2 and 1.9 would be moved to the next City Council meeting.

#### A.2

##### **Receive a presentation from the Environmental Health Manager concerning the restaurant inspection system.**

Katy Evans, Environmental Health Manager, presented an overview of the City's new restaurant and swimming pool inspection system.

#### A.3

##### **Receive a briefing on the status of the Honors Academy charter and its impact to the lease agreement between Honors Academy and the City of Farmers Branch.**

Shawna Eikenberry, Management Analyst, provided a status summary of the Honors Academy charter, and the existing lease agreement between the City and Honors

Academy. The general consensus of the City Council was to proceed with a notice of termination.

Mayor Phelps read the Agenda for Executive Session Items J.1 and J.2. The Study Session Meeting adjourned at 4:27 pm.

## **J. EXECUTIVE SESSION**

The City Council convened into Executive Session at 4:35 pm.

- J.1                    Discuss pending and contemplated litigation - Texas Government Code Section 551.071:  
Receive legal advice from the City's attorneys regarding potential administrative claims or litigation relating to Texas Commission on Environmental Quality (TCEQ) Water Use Permit Nos. 5383 and 5383A to Town of Addison for use of water in Farmers Branch Creek.**

- J.2                    Discuss land acquisitions - Texas Government Code 551.072:  
Discuss the purchase, sale, exchange, lease or value of real property in the area generally bounded by I-635, Webb Chapel, Josey Lane, and Valley View.**

The City Council concluded Executive Session at 5:37 pm.

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

Mayor Phelps called the Regular Meeting to order at 6:02 pm.

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

## **C. CEREMONIAL ITEMS**

- C.1                    Consider accepting a donation in the amount of \$3,505 from The Branch Church - Farmers Branch Campus in support of a park improvement project jointly sponsored by the Carrollton/Farmers Branch and Farmers Branch Rotary Clubs and take appropriate action.**

Parks and Recreation Department Director Jeff Harting reported City employee Mitzi Davis and Police Chief Fuller were instrumental in this coming together.

Brother Eddy Ketchersid from The Branch Church presented the donation the City.

**A motion was made by Deputy Mayor Pro Tem Connally, seconded by Council Member Robinson, that this Donation be accepted. 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

- C.2 Consider accepting a donation from the Friends of the Farmers Branch Historical Park for funding the repair and installation of the original church bell into the Old Church at the Farmers Branch Historical Park and take appropriate action.**

A motion was made by Deputy Mayor Pro Tem Connally, seconded by Council Member Reyes, that this Donation be accepted. 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

- C.3 Consider recognizing Mrs. Doris Taylor as the recipient of the Farmers Branch Witness to History Award and take appropriate action.**

Mrs. Doris Taylor was recognized as the recipient of the Witness to History Award.

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

Council Member Robinson asked for this item to be tabled until the next City Council meeting. No action was taken.

**D. REPORT ON STUDY SESSION ITEMS**

Council Member Reyes reported on the following:  
Restaurant Inspection System - City Administration presented an overview of the City's new restaurant and swimming pool inspection system.

Briefing on the Honors Academy Charter and its Lease Agreement - City Administration provided a status summary of the Honors Academy charter, and the existing lease agreement between the City and Honors Academy. The general consensus of the City Council was to proceed with a notice of termination.

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

Topics for the City Manager's Report included:

Daddy Daughter Dance - annual dance is set for Saturday, February 7 from 6 until 8 pm at the Community Recreation Center; there will be a DJ for dancing, face painting, a keepsake photo, cookies, punch, and coffee; advance tickets for residents are \$5 each and are available through February 6; all tickets are \$10 at the door

Camping Under the Stars - to be held at the March 14 and March 15 at the Farmers Branch Historical Park; registration is underway; registration requires a \$50 fee for each campsite

Pruning Clinic - a hands-on pruning clinic will be held on Saturday, February 7 from 10 am until noon at the big rose garden in Gussie Field Watterworth Park; consulting rosarians will be available to help educate and enlighten

Gilbert House Tour - on Saturday, February 7, there will be special docent-conducted tours of one of the most historical buildings in Dallas County; the Gilbert House, located at the Farmers Branch Historical Park, is the oldest structure still on its original foundation in Dallas County; in the 19th century, it was the home of Dr. and Mrs. Samuel Gilbert and their two daughters; tours will be ongoing from 1 until 4 pm.

## **F. CITIZEN COMMENTS**

Mayor Phelps stated the City Council wants everyone to be courteous, and that no demeaning or disparaging remarks directed at the Council or staff would be allowed. No one wished to speak.

## **G. CONSENT AGENDA**

A motion was made by Mayor Pro Tem Fuller, seconded by Council Member Robinson, to move Agenda Items I.4, I.5, I.6, and I.8 from the Regular Agenda to the Consent Agenda. The motion passed unanimously.

### **Approval of the Consent Agenda**

A motion was made by Deputy Mayor Pro Tem Connally, seconded by Mayor Pro Tem Fuller, to approve the items on the Consent Agenda. 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

#### **G.1 Consider approval of minutes of the City Council meeting held on January 20, 2015 and take appropriate action.**

The Minutes were approved.

#### **G.2 Consider approving Resolution No. 2015-011 authorizing the City Manager to execute Amendment Number Two to the Professional Services Agreement with IDS Engineering Group relative to the Mercer Crossing Lift Station and take appropriate action.**

This Resolution was approved.

#### **I.4 Consider approving Resolution No. 2015-012 authorizing the purchase of one (1) replacement camera van for the Public Works Utilities Division in the total amount of \$286,115 from Freightliner of Austin through the Buy Board Purchasing Cooperative; providing an effective date, and take appropriate action.**

This Resolution was approved.

#### **I.5 Consider approving Resolution No. 2015-006 authorizing a unit price contract with Reynolds Asphalt and Construction Company for the Asphalt Recycle in Place Street Improvement Project through a Cooperative Purchasing Interlocal Agreement with the City of Grand Prairie to and take appropriate action.**

This Resolution was approved.

- I.6 Consider approving Resolution No. 2015-013 authorizing the City Manager to execute a professional services agreement with Weaver Boos Consultants, LLC-Southwest for professional engineering, surveying, and other services relating to construction of a slurry wall at Camelot Landfill and take appropriate action.**

This Resolution was approved.

- I.8 Consider approving Resolution No. 2015-010 abandoning a Fire Lane, Mutual Access, and Water Easement and approving the final plat of CCI-Two Hickory Addition, Lot 1, Block A and take appropriate action.**

This Resolution was approved.

## **H. PUBLIC HEARINGS**

There were no Public Hearings on this agenda.

## **I. REGULAR AGENDA ITEMS**

Council Member Reyes requested to move Agenda Item I.3 up on the agenda.

- I.3 Receive a report from Jeff Civins, Haynes and Boone, LLP, regarding Texas Commission on Environmental Quality (TCEQ) Report No. 119885 relating to TCEQ Permit Nos. 5383 and 5383A to Town of Addison for use of water in Farmers Branch Creek.**

Jeff Civins provided a brief background and report relating to investigations into the Town of Addison's water rights permit in reference to Farmers Branch Creek.

The following persons spoke:

Mike Bomgardner - 3714 Wooded Creek  
John Norwood - 2740 Farmers Branch Lane  
Bill Dickey - 13808 Wooded Creek  
Hooman Sedlahi - 13213 Glad Acres

- I.1 Receive a report on the results of the 2014 Citizen Satisfaction Survey.**

National Service Research owner Andrea Thomas presented a summary of the results from the 2014 Citizen Satisfaction Survey.

- I.2 Receive a presentation regarding AT&T's plans for providing faster broadband service to Farmers Branch residents.**

Mr. Fred Maldonado from AT&T requested this item be postponed until the February 17, 2015 City Council meeting.

**I.7 Consider approving Resolution No. 2015-009 for a revised Detailed Site Plan on a 4.82 acre tract located within the Samuel F. Brown Survey, Abstract 158, Farmers Branch, Texas, generally located 1,800 feet west of the intersection of Luna Road and Royal Lane (more commonly known as 1521 Royal Lane), and take appropriate action.**

Planning Director Andy Gillies reported a Detailed Site Plan had been approved for this site in September, 2014. The applicant has not been able to obtain construction bids that are within 25% of the original estimated project cost, therefore they have hired a new firm to redesign the project within the construction budget.

The proposed new Detailed Site Plan consists of three residential buildings, each three stories in height, with a total of 136 dwelling units. Approximately 21% of the site is proposed to be natural or landscaped open space.

City Manager Gary D. Greer asked that the trail be increased from 8' to 10'. The applicant said he would look into making the trail wider.

**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.9 Consider a request for final plat approval of Santos Addition, Lot 1, Block A for development as a small commercial business and take appropriate action.**

Council Member Robinson requested this item be postponed until the February 17, 2015 City Council meeting.

**K. Consider necessary action on items discussed in the Executive Session.**

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

The following motion was made relating to Agenda Item J.2:

**Motion by Deputy Mayor Pro Tem Connally, seconded by Council Member Froehlich, that the City Manager be authorized to negotiate and sign on behalf of the City a contract with the Farmers Branch Local Government Corporation to sell Lot 14, Block A, Valley View Estates 3, an Addition to the City of Farmers Branch, Texas, also known as 3021 Primrose, for the purpose of being resold to Gary and Lois Billingsley for the purchase price of not less than \$100,000, subject to a restriction agreement requiring the property to be developed and used as a detached single family residence with an initial combined value of approximately \$500,000, inclusive of land and improvements, and that the City Manager also be authorized to sign such other documents as he, in consultation with the City Attorney, deems reasonable and necessary with respect to closing these transactions. The motion passed unanimously.**

**L. ADJOURNMENT**

**A motion was made by Mayor Pro Tem Fuller, seconded by Council Member Reyes, 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 meeting adjourned at 7:32 pm.

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Bob Phelps, Mayor

ATTEST:

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Angela Kelly, City Secretary