



City of Farmers Branch

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

Meeting Minutes - Final City Council

Tuesday, April 16, 2013

6:00 PM

Council Chambers

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

A. STUDY SESSION

Presiding: 1 - Mayor William P. Glancy

Present: 5 - Mayor Pro Tem David Koch, Deputy Mayor Pro Tem Tim Scott, Council Member Ben Robinson, Council Member Harold Froehlich and Mayor Pro Tem Jeff Fuller

Staff: 16 - Gary D. Greer, Peter G. Smith, Angela Kelly, Rachael Johnson, Rick Chaffin, Shane Davis, Tom Bryson, Charles Cox, Sidney Fuller, Andy Gillies, Jeff Harting, John Land, Kevin Muenchow, Jim Olk, Randy Walhood and Mark Samuels

A.1 **Discuss regular city council meeting agenda items.**

H.1 - Charles Cox, Finance Director, reported the City would be going back out for bid for the Certificates of Obligation due to problems with the bidding documents.

F.3 - Council Member Robinson asked why the proposed ordinance regarding the no parking zones along portions of Longmeade Drive was being presented. Randy Walhood, Public Works Director stated the signs have been posted for many years, however no ordinance was ever adopted. Because this area poses a visibility concern, the proposed ordinance was being presented to allow enforcement of the no parking zones.

A.2 **Receive a presentation on future housing strategies.**

John Land, Director of Economic Development & Tourism, reported MetroStudy is a national company that provides information to developers and homebuilders regarding residential development. David Brown from MetroStudy presented information on the company's background and their methodology of how they gather their information.

Mr. Land asked Mr. Brown if changing the City's incentive program from seven (7) to ten (10) years would be prudent. Mr. Brown reported it would probably not increase participation in the program. He stated lower interest rates would probably spark more interest than a savings on property taxes.

City Council members directed Staff Administration to present a proposal from MetroStudy at their next meeting.

This Report was presented.

A.3 **Discuss Cotton Belt Regional Rail Corridor update and**

associated legislation.

Mr. Cox reported Senate Bill 1333 had been proposed that would allow for the creation of a special improvement district, which would include Farmers Branch. If passed, this would allow for the collection of funds for assessments and improvements. Mr. Cox stated representatives from Dallas Area Rapid Transit (DART) and North Central Texas Council of Governments (NCTCOG) would provide an update on the Cotton Belt Regional Rail Corridor. Mr. Miles representing DART reported on the project and stated an amendment had been presented to the legislature that removed Farmers Branch from the proposed improvement district. He also stated Farmers Branch could request to be included at any time in the future.

Mayor Pro Tem Koch voiced interest in looking at the viability of service running from Addison to the Galleria.

This Report was presented.

A.4**Receive an update on the Apartment Inspection Program and Mandatory Crime Reduction Program.**

Jim Olk, Community Services Director reported there would soon be approximately 5,200 apartment units in the City. Mr. Olk provided background on the Apartment Inspection Program, along with an update on the status of the program.

Police Chief Sid Fuller provided the history of the Mandatory Crime Reduction Program. He reported four (4) apartment complexes were in the program during its first year. Each year that number has gone down and now includes only two (2) complexes in the program.

This Report was presented.

A.5**Discuss Farmers Branch Park update.**

Rick Chaffin, Management Consultant, presented options that have been discussed regarding the relocation of Farmers Branch Park. The report that will be completed by MetroStudy will include information that would be relative to Farmers Branch Park, therefore this item may be reviewed again once the study is completed.

Due to time constraints, Agenda Items A.7 and A.8 will be discussed later during the Regular meeting. Mayor Glancy read the Agenda Items for Executive Session.

The Study Session meeting ended at 5:43 p.m.

This Report was presented.

I. EXECUTIVE SESSION

The City Council convened into Executive Session at 5:43 p.m.

I.2**Discuss pending and contemplated litigation - Texas Government Code Section 551.071:**

Discuss pending litigation styled City of Lewisville v. City of Farmers Branch, et. al., Civil Action No. 4:12-cv-00782 in the U.S. District Court (E.D. Texas - Sherman Division).

The City Council concluded Executive Session at 6:00 p.m.

THE CITY COUNCIL RECONVENES INTO OPEN SESSION

The City Council reconvened into open session at 6:04 p.m.

B. INVOCATION & PLEDGE OF ALLEGIANCE

Deputy Mayor Pro Tem Scott gave the Invocation. Council Member Fuller led the Pledge of Allegiance.

C. CEREMONIAL ITEMS**C.1 Recognize the Police Department for achieving Recognized Status through the Texas Police Chiefs Association.**

Mr. Marlin Price from the Texas Police Chiefs Association presented Police Chief Sid Fuller with a certificate on behalf of the Farmers Branch Police Department for achieving "Recognized Status". Farmers Branch was one of the first in the state to be recognized. Out of approximately 2,300 law enforcement agencies only 79 met the best practices standards which are required to achieve recognized status.

C.2 Consider Board and Commission appointments and take appropriate action.

A motion was made by Council Member Fuller, seconded by Council Member Froehlich, to appoint Ricky Belt to the Family Advisory Board. The motion carried unanimously.

Aye: 5 - Mayor Pro Tem Koch, Deputy Mayor Pro Tem Scott, Council Member Robinson, Council Member Froehlich and Mayor Pro Tem Fuller

D. REPORT ON STUDY SESSION ITEMS

Council Member Robinson reported on the following:

-City Council directed Staff Administration to work with MetroStudy to evaluate residential development in the City that will encourage revitalization. MetroStudy is a national company that provides information to developers and homebuilders.

-City Council received a presentation on the Cotton Belt Regional Rail Corridor and proposed Senate Bill 1333. Due to an amendment to the proposed legislation Farmers Branch is no longer included in the corridor. According to the presenter from DART we could join the corridor in the future, which would include some tax ramifications in doing so.

-Staff Administration provided updates on the Apartment Inspection Program and Mandatory Crime Reduction Program. Under the Apartment Inspection Program apartments are inspected once a year, twice if they fail the first inspection. Incidents relating to the Mandatory Crime Reduction Program are down since its inception.

-Staff Administration investigated options for the use of Farmers Branch Park. City Council requested the information in the event a developer was interested in redevelopment of the area. The item would have to go before the citizens in a referendum prior to any action being taken. There is nothing on the horizon relating to this, Council Members just asked for information.

E. ITEMS OF COMMUNITY INTEREST

Mayor Glancy announced Fish N Fun, which will be held at Gussie Field Watterworth

Park on Saturday, May 4 from 8:00 a.m. until noon. He also reminded everyone Early Voting begins on Monday, April 29.

Deputy Mayor Pro Tem Scott reported Janie Stark Elementary School is having an all star auction & carnival this Saturday starting at 11:00 a.m. - 2:00 p.m.

Mayor Pro Tem Koch announced a candidate forum hosted by the Farmers Branch Chamber of Commerce to be held on on April 25 at Lubys beginning at 8:00 a.m.

City Manager Gary Greer presented the City Manager report, which included the following:

Date Night - to be held on April 20 beginning at 6:30 p.m. at the Historical Park; the Dallas Band "The O's" will perform, there will be gourmet food trucks and an outdoor movie, "Trouble with the Curve"

Pictorial History Book - a full color pictorial history of Farmers Branch; pre-orders are on sale now through May 31

Bond Rating affirmed - Standard and Poors Bond Rating Agency affirmed Farmers Branch bond rating at AA+ because of the City's strong and diversified economy along with strong wealth and income with extremely strong market value per capita and historically very strong reserves

Liberty Fest - to be held on May 25 at the Historical Park and will feature Easton Corbin, Jack Ingram, and Randy Houser

F. CONSENT AGENDA

Mayor Pro Tem Koch requested Agenda Item F.3 be moved to the Regular Agenda.

Approval of the Consent Agenda

A motion was made by Mayor Pro Tem Koch, seconded by Council Member Froehlich, to approve Consent Agenda Items F.1 and F.2. The motion carried unanimously.

Aye: 5 - Mayor Pro Tem Koch, Deputy Mayor Pro Tem Scott, Council Member Robinson, Council Member Froehlich and Mayor Pro Tem Fuller

F.1 Consider approval of minutes of the City Council meeting held on April 2, 2013 and take appropriate action.

The Minutes were approved.

F.2 Consider excusing the absence of Council Member Jeff Fuller at the April 2, 2013 City Council meeting and take appropriate action.

This Procedural Item was approved.

G. PUBLIC HEARINGS

There were no Public Hearing items on the agenda.

H. REGULAR AGENDA ITEMS

Mayor Pro Tem Koch requested Agenda Item F.3 be moved to the Regular Agenda.

- F.3 Consider adopting Ordinance No. 3224 amending the City of Farmers Branch Code of Ordinances, Chapter 82, Traffic and Vehicles, Article II, Division 6, Section 82-95, amending No Parking Zones on portions of Longmeade Drive and take appropriate action.**

Randy Walhood, Public Works Director, reported "No Parking" signs have been posted for many years, however no ordinance was ever adopted. Because this area poses a visibility concern, the proposed ordinance was being presented to allow enforcement of the no parking zones.

A motion was made by Council Member Robinson, seconded by Council Member Fuller, that this Ordinance be adopted. The motion passed unanimously.

Aye: 5 - Mayor Pro Tem Koch, Deputy Mayor Pro Tem Scott, Council Member Robinson, Council Member Froehlich and Mayor Pro Tem Fuller

- H.1 Consider adopting Ordinance No. 3226 authorizing the issuance of approximately \$7,150,000 City of Farmers Branch, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2013, for the purpose of constructing an aquatics facility; awarding the sale of the Certificates; levying a tax in payment thereof, and providing for the security for and payment of said certificates; authorizing the execution of a paying agent/registrar agreement; enacting other provisions relating to the subject; declaring an effective date; and take appropriate action.**

Mr. Cox reported the City would be going back out for bid for the Certificates of Obligation due to problems with the bidding documents. This item will be referred to the May 7, 2013 City Council meeting.

A motion was made by Council Member Robinson, seconded by Mayor Pro Tem Koch, that Agenda Items H.1, H.2 and H.3 be referred back to the City Council meeting on May 7, 2013. The motion carried unanimously.

Aye: 5 - Mayor Pro Tem Koch, Deputy Mayor Pro Tem Scott, Council Member Robinson, Council Member Froehlich and Mayor Pro Tem Fuller

- H.2 Consider approving Resolution No. 2013-022 authorizing the City Manager to negotiate and execute a professional services contract with the C.T. Brannon Corporation in the amount of \$361,000 relating to design, bidding, and construction services for the new municipal aquatics facility and take appropriate action.**

See Agenda Item H.1.

- H.3 Consider approving Resolution No. 2013-023 authorizing the City**

Manager to negotiate and execute a professional services contract with Gallagher Construction Management Services in the amount of \$481,000 for construction management services relating to the new municipal aquatics facility and take appropriate action.

See Agenda Item H.1.

The Mayor announces that the items of the agenda for the Regular Session have been concluded. After a short recess, the meeting will convene for items in the Executive Session. The meeting will then reconvene into open Regular Session after the items have been discussed in the Executive Session to consider any necessary action.

I. EXECUTIVE SESSION

The City Council convened into Executive Session at 6:40 p.m.

- I.1 Discuss land acquisitions - Texas Government Code Section 551.072:
Discuss the purchase, sale, exchange, lease or value of real property in the following area - for the area generally bounded by Midway Road, Valwood Parkway and Belt Line Road, I-635 and Denton Drive.**

The City Council concluded Executive Session at 7:29 p.m.

J. THE CITY COUNCIL RECONVENES INTO OPEN SESSION

The following motion was made relating to Agenda Item I.1:
Motion by Mayor Pro Tem Koch, based on the report and findings of the City Building Official, that the City Council finds the structure located on the property known as 12814 Holbrook Drive constitutes a dangerous structure and that the City Manager be authorized to (1) purchase directly or through authorized representatives Lot 11, Block B, Farmersdell Addition, an Addition to the City of Farmers Branch, Texas, for an amount not to exceed \$60,000 plus any related closing costs, (2) to negotiate and sign such documents as he, in consultation with the City Attorney, deems reasonable and necessary with respect to acquiring title to said property, and (3) to enter into necessary agreements related to the demolition of the improvements on said property, said activities to be funded from funds available in the City budget for such purposes, seconded by Council Member Froehlich. The motion carried unanimously.

- A.6 Discuss use of land located on Veronica Road as a potential park site.**

John Land, Director of Economic Development & Tourism presented background on the Four Corners Vision Plan, which called for residential use in this area. Jeff Harting, Parks & Recreation Director presented a park concept and cost information.

Council Member Robinson suggested looking for park land near Austell Parkway.

A.7 Discuss selection of Charter Review Committee.

After a brief discussion, City Council members nominated the following members to serve on the Charter Review Committee:

*Bill Binford - Chair
Ben Wheeler
Adam Toy
Michelle Holmes
Kathleen Scraufnegel
Rick Johnson
Al Solis
Garrett Smith
Blake Holman
Deborah Bowe
Sergio Ramirez
Michael Jackson
Daniel Moos
Tim Scott
Greg Southerlin*

A.8 Discussion of items to be placed on a future City Council meeting agenda (discussion is limited to determination of whether to place an item on a future City Council meeting agenda).

No items were discussed.

K. ADJOURNMENT

A motion was made by Mayor Pro Tem Koch, seconded by Council Member Robinson, that this meeting be adjourned. The motion carried unanimously.

Aye: 5 - Mayor Pro Tem Koch, Deputy Mayor Pro Tem Scott, Council Member Robinson, Council Member Froehlich and Mayor Pro Tem Fuller

The meeting adjourned at 8:04 p.m.

William P. Glancy, Mayor

ATTEST:

Angela Kelly, City Secretary