



City of Farmers Branch

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

Meeting Minutes - Draft City Council

Tuesday, June 17, 2014

6:30 PM

Council Chambers

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

A. STUDY SESSION

Mayor Glancy called the Study Session Meeting to order at 5:00 p.m.

Presiding: 1 - Mayor William P. Glancy

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, Kevin Laughlin 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, Sidney Fuller Police Chief, Andy Gillies Director of Planning, Marc Bentley City Engineer, Jeff Harting Parks & Recreation Director, Kevin Muenchow Fleet & Facilities Director, Jim Olk Community Services Director, Steve Parker Fire Chief, Mark Samuels Information Services Director, Brian Beasley Human Resources Director, Shawna Eikenberry Management Analyst, Stacy Wright Director of Environmental Health and Gary Spoerl Street Superintendent

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

C.2 - Council Member Robinson requested more time to review the board/commission material and suggested this item be postponed until the July 15 City Council meeting.

A.2 **Presentation by North Central Texas Council of Governments regarding growth projections and census data for Farmers Branch.**

Brian Lister from North Central Texas Council of Governments presented census data for the area.

A.3 **Receive a presentation on the development and management of unpaved alleyways and utility easements throughout the City.**

Shawna Eikenberry, Management Analyst, gave a presentation on the development and management of unpaved alleyways and utility easements. The general consensus of the City Council was for City Administration to prepare a map of the City that includes areas where there is significant on-street parking, with an overlay showing unpaved easements and paved alleys that could be used for further discussion.

A.4 Reception for Mayor William P. Glancy in honor of his service on the Farmers Branch City Council.

A reception was held honoring Mayor Glancy for his years of service as Mayor of Farmers Branch.

B. INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Glancy called the Regular Session Meeting to order at 6:33 p.m.

Council Member Robinson gave the Invocation and Deputy Mayor Pro Tem Connally led the Pledge of Allegiance.

C. CEREMONIAL ITEMS

C.1 Presentation of the Farmers Branch Fire Department's 2014 Fire and Life Safety Excellence Award.

Mayor Glancy presented the 2014 Fire and Life Safety Excellence Award to Dwayne Bratton, Chief Building Engineer for JP Morgan International Plaza I and II.

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

Mayor Glancy announced this item would be tabled until the July 15, 2014 City Council meeting.

D. REPORT ON STUDY SESSION ITEMS

Council Member Froehlich reported on the following:

Reception for Mayor Glancy - A reception was held honoring Mayor Glancy for his years of service as Mayor of Farmers Branch.

Report from North Central Texas Council of Governments - Brian Lister from North Central Texas Council of Governments presented census data for the area.

Report on paving alleys and easements - City Administration gave a presentation on the development and management of unpaved alleyways and utility easements. The general consensus of the City Council was for City Administration to prepare a map of the City that includes areas where there is significant on-street parking, with an overlay showing unpaved easements and paved alleys that could be used for further discussion.

E. ITEMS OF COMMUNITY INTEREST

Mayor Glancy reported recent meetings were held with the two bond rating agencies. Both agencies assigned Farmers Branch the highly sought after AA+ rating.

Items presented for the City Manager's Report included:

Election Day - this Saturday, June 21 from 7 am to 7 pm; information and precinct lookup is at www.farmersbranchtx.gov/elections

Independence Day Festivities - to be held on Thursday, July 3 at the Historical Park; admission is free; gates open at 6:30 pm; concert by Groove Knight begins at 6:45

pm; pie eating contest begins at 7:30 pm; traditional fireworks finale after dark

City Facilities will be closed - July 4, with exceptions of Recreation Center and Historical Park; both open 8 am to 5 pm; there will be no garbage collection and the Citizen Collection Center will be closed

Traffic Alert - The 35 Express project has reduced east & westbound lanes on Valley View under I-35 for bridge support work; work will last for next six months; could be significant impacts during rush hours; 35Express is completely closing Valley View every night this month from 9:00 pm to 6:00 am

F. CITIZEN COMMENTS

The following people spoke:

Bob Phelps (12705 Epps Field) - complemented and thanked the Fire Department for their quick response when his wife Dee fell

G. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Deputy Mayor Pro Tem Connally, seconded by Mayor Pro Tem Fuller, to approve Consent Agenda Items G.1 through G.8. 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 meetings held on May 20, 2014 and take appropriate action.

The Minutes were approved.

G.2 Consider acceptance of a Texas Department of State Health Services 2014 EMS Local Projects Grant Award of \$2,450 to allow the purchase of a grant funded vehicle extraction rescue tool and take appropriate action.

This Donation was accepted.

G.3 Consider approving Resolution No. 2014-047 authorizing the City Manager to approve an agreement for the interior painting of City Hall with GFC Contracting through the Buy Board Purchasing Cooperative in the total amount of \$109,928 and take appropriate action.

This Resolution was approved.

G.4 Consider approving Resolution No. 2014-048 authorizing the City Manager to approve an agreement for the purchase and installation of carpet for City Hall with Gomez Floor Covering, Inc. through the State of Texas Multiple Award Schedule in the total amount of \$139,330 and take appropriate action.

This Resolution was approved.

- G.5** Consider approving Resolution No. 2014-052 authorizing the City Manager to negotiate and sign an agreement with Elavon, Inc. to provide merchant card services to facilitate the acceptance of credit, debit and charge cards utilizing the State of Texas Cooperative Purchasing Program Contract No. 920-M1 and take appropriate action.

This Resolution was approved.

- G.6** Consider approving Resolution No. 2014-055 authorizing the Mayor to execute an Agreement of Cooperation for Community Development Block Grant HOME Program with Dallas County for a period of three years, and take appropriate action.

This Resolution was approved.

- G.7** Consider adopting Ordinance No. 3282 amending the City of Farmers Branch Code of Ordinances, Chapter 82, Traffic and Vehicles, Article II, Division 5, Section 82-73, specifying the placement of three new stop signs (William Dodson Parkway at City Hall Plaza, Chatsworth Drive at Mount Castle Drive, and Colchester Drive at Mount Castle Drive) and take appropriate action.

This Ordinance was adopted.

- G.8** Consider adopting Ordinance No. 3285 reducing the holding time to 24 hours for feral cats at the animal adoption center and redefining "at large and running at large" for the purposes of the Trap, Neuter, Return (TNR) program and take appropriate action.

This Ordinance was adopted.

H. PUBLIC HEARINGS

- H.1** Conduct a public hearing and consider adopting Ordinance No. 3283 amending the Comprehensive Zoning Ordinance to establish a new zoning district called Beer and Wine Sales Overlay District and take appropriate action. This new district will allow for the sale of beer and wine for off-premise consumption and establish new regulations and definitions for controlling this new land use.

Andy Gillies, Planning Director, presented the proposed off-premise alcohol sales districts approved by the Planning and Zoning Commission.

Mayor Glancy opened the public hearing. The following people spoke:
Don Grissom - 509 W. 12th, Austin, TX

Diane McCarty - 46 Trailridge Drive
Rick Loughry - 2331 Aberdeen, Carrollton, TX
Vernon Smith - 2715 Bay Meadow
Vicki Harrison - 3706 Ridgeoak Way

Mayor Glancy closed the public hearing.

A motion was made by Council Member Robinson, seconded by Council Member Froehlich, that this Ordinance be adopted, with the elimination of Zone 3 and Zone 6 and reducing the boundaries of Zone 4. The motion carried by the following vote:

Nay: 2 - Deputy Mayor Pro Tem Connally and Mayor Pro Tem Fuller

Aye: 3 - Council Member Robinson, Council Member Froehlich and Council Member Reyes

H.2

Conduct a public hearing and consider adopting Ordinance No. 3284 for a Specific Use Permit allowing an Indoor Vehicular Sales Business to be located at 14832 Venture Drive and take appropriate action. This Specific Use Permit includes an associated site plan.

Mr. Gillies reported the applicant is proposing an indoor vehicle sales business and that no vehicle sales, display or storage would be allowed outdoors. The applicant was present for the public hearing.

Mayor Glancy opened the public hearing. No one wished to speak; Mayor Glancy closed the public hearing.

A motion was made by Mayor Pro Tem Fuller, seconded by Council Member Froehlich, that this Ordinance be adopted. 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.3

Conduct a public hearing and consider adopt Ordinance No. 3279 to change the zoning of a 5 acre tract from Planned Development No. 60 (PD-60) to Planned Development No. 96 (PD-96) and take appropriate action. This new PD includes a Conceptual Site Plan, and several Special Exceptions, that would allow the development of a 154 unit multi-family residential community. This tract is located approximately 1,800 feet west of the northwest corner of the Royal Lane and Luna Road intersection.

Mr. Gillies reported the applicant is proposing to develop a new multi-family residential community on this site. The project will consist of approximately 154 dwelling units located in a four (4) story building. Parking will include both enclosed garages and surface parking. Approximately 30% of the site will remain as open space. A representative of the applicant was in attendance for the meeting.

Mayor Glancy opened the public hearing. No one wished to speak; Mayor Glancy closed the public hearing.

A motion was made by Mayor Pro Tem Fuller, seconded by Deputy Mayor Pro

Tem Connally, that this Ordinance be adopted. 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

Mayor Glancy moved Agenda Item I.4 up on the agenda.

I.4

Consider approving Resolution No. 2014-050 dedicating for public park purposes, as part of Oran Good Park, three tracts of land out of the Thomas Keenan survey, Dallas County, Texas and authorizing naming of a tee-ball field proposed for construction on said property as "Raymond DeLeon Field;" and take appropriate action.

Jeff Harting, Parks and Recreation Director, reported the three tracts of land have been vacant since August, 2009. The Parks and Recreation Board received a request to create a tee-ball field on the property and to name the new field in honor of Raymond DeLeon. The Board voted to dedicate the land for public park purposes, and unanimously voted for the tee ball fields and to name the property as Raymond DeLeon Field.

The following people spoke:
John Vickers - 2965 Randy

A motion was made by Mayor Pro Tem Fuller, seconded by Council Member Reyes, 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

Receive request of resident Terry Lynne regarding ethics violations and conduct of Council representatives.

Resident Terry Lynne provided a hand out to the City Council, which included a copy of a bid submitted to the City of Dallas by Mayor Pro Tem Fuller for the operational management of the Elm Form Athletic Complex, and a copy of a presentation by Mr. Lynne requesting an investigation relating to ethics violations by Mayor Pro Tem Fuller.

The following people spoke:
Vernon Smith - 2715 Bay Meadow Circle
Vicki Harrison - 3706 Ridge Oak Way
Deborah Bowe - 3464 Chapparal Drive
Brenda Brodrick - 13531 Rawhide
Buford Watson - 14210 Dennis
Lib Grimmer - 3225 Damascus
Todd Womble - 2815 Reedcroft Drive
Tom Brohmier - 2949 Maydelle
Mike Harrison - 3706 Ridge Oak Way
Bobby Ligon - 2948 Sinbad Trail

After discussion by the City Council, the general consensus was that Council wanted

some time to review the information before making any decisions.

I.2 Consider approving Resolution No. 2014-045 approving a Detailed Site Plan for a 1 acre retail center to be located on Lot 3, Block A, of the Midway Alpha Retail Center, or more commonly known as 13701 Midway Road, and take appropriate action. This site is located in Planned Development No. 64 (PD-64).

Mr. Gillies reported the applicant is proposing a small retail development at 13701 Midway. The proposed site will consist of a new 6,600 square foot masonry building, 53 total parking spaces, and approximately 21% of landscaped open space.

A motion was made by Council Member Robinson, seconded by Council Member Froehlich, 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.3 Consider adopting Ordinance No. 3286 amending the Code of Ordinances, Chapter 46, by adopting Section 46-2 "Prohibition of Beer and Wine in Residential Areas" and take appropriate action.

A motion was made by Mayor Pro Tem Fuller, seconded by Council Member Reyes, that this Ordinance be adopted. 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.5 Consider approving Resolution No. 2014-049 authorizing execution of a Residential Demolition/Rebuild Program Incentive Agreement for the owner of property located at 13610 Tanglewood Drive and take appropriate action.

Managing Director John Land reported the current value for the property is approximately \$219,020 and the estimated value of the new dwelling will be approximately \$450,000.

A motion was made by Council Member Robinson, seconded by Deputy Mayor Pro Tem Connally, 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.6 Consider approving Resolution No. 2014-051 authorizing execution of a Residential Demolition/Rebuild Program Incentive Agreement for the owner of property located at 12946 Epps Field Road and take appropriate action.

Mr. Land reported the current value of the property is approximately \$37,300 and the estimated value of the new dwelling will be \$400,000.

A motion was made by Deputy Mayor Pro Tem Connally, 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.7

Consider approving Resolution No. 2014-056 approving Economic Development Incentives pursuant to the Commercial Facade Grant Program for the 13720 Midway Road, (Building One) Suites 100-110; 13720 Midway Road, (Building Two) Suites 200-210; and 13604 Midway Road and take appropriate action.

Mr. Land reported two separate facade grants were submitted for 13720 Midway, Building One and Building Two, and another for 13604 Midway.

A motion was made by Deputy Mayor Pro Tem Connally, seconded by Council Member Robinson, that this Resolution be denied. 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.8

Consider approving Resolution No. 2014-057 authorizing execution of a Residential Demolition/Rebuild Program Incentive Agreement for the owner of property located at 13725 Braemar Drive and take appropriate action.

Mr. Land reported the current value is approximately \$158,660 and the estimated value of the new dwelling will be approximately \$450,000.

A motion was made by Council Member Froehlich, seconded by Deputy Mayor Pro Tem Connally, 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 approving Resolution No. 2014-054 awarding the bid and authorizing a contract with Felix Construction Company for the Hutton Lift Station Rehabilitation project and take appropriate action.

City Engineer Marc Bentley reported the lift station is approximately thirty (30) years old and is in poor condition. The proposed project provides a complete rehabilitation of the lift station.

A motion was made by Deputy Mayor Pro Tem Connally, seconded by Council Member Robinson, 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

Mayor Glancy read the agenda for Executive Session Item J.1.

J. EXECUTIVE SESSION

The City Council convened into Executive Session at 9:45 p.m.

- J.1 Discuss land acquisitions - Texas Government Code Section 551.072:
Discuss the purchase, sale, exchange, lease or value of real property in the area generally bounded by I-35, Valwood Parkway, Marsh Lane, and I-635.**

The City Council concluded Executive Session at 10:11 p.m.

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

Mayor Glancy called Open Session to order at 10:12 p.m.

Motion by Council Member Robinson, seconded by Council Member Froehlich, that the City Manager be authorized to negotiate and sign contracts and such other documents that are reasonable and necessary to sell to the Farmers Branch Local Government Corporation Lot 2, Block A, The Shops at Branch Crossing, City of Farmers Branch, Texas, for a purchase and sales price of not less than \$5.00 per square foot, subject to a requirement that the property be resold to Todd Bonneau Homes, LLC subject to a restriction agreement requiring construction of no fewer than five (5) single family residences of not less than 2200 square feet of air conditioned space each with a combined assessed value of not less than \$300,000 per home, inclusive of both land and improvements, upon completion of construction. Motion passed unanimously.

L. ADJOURNMENT

The City Council meeting ended at 10:14 p.m.

Bob Phelps, Mayor

ATTEST:

Angela Kelly, City Secretary