



# City of Farmers Branch Meeting Minutes City Council

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

Tuesday, August 2, 2022

6:00 PM

Council Chambers

**Absent:** 1 - Mayor Pro Tem David Merritt

**Present:** 5 - Mayor Robert Dye, Council Member Omar Roman, Council Member Michael Driskill, Deputy Mayor Pro Tem Traci Williams, Council Member Richard Jackson

**Staff:** Interim City Manager John Land, Assistant City Manager Benjamin Williamson, City Secretary Stacy Henderson, Assistant City Secretary Argie Ree Potter, City Attorney Pete Smith, Director of Innovation and Technology Mark Samuels, Director of Public Works Marc Bentley, Parks Superintendent Kerry Phillips, Police Chief David Hale, Acting Fire Chief Daniel Latimer, Director of Human Resources Brian Beasley, Director of Sustainability & Health Shane Davis, Director of Planning & Zoning/Economic Development Allison Cook, Director of Finance Sherrelle Evans-Jones, and Director of Communications Jeff Brady

## **CALL TO ORDER - COUNCIL CHAMBERS (3 P.M.)**

Mayor Dye called the meeting to order at 3:00 p.m.

Mayor Dye announced that Deputy Mayor Pro Tem Traci Williams would be attending the meeting via Zoom and Mayor Pro Tem David Merritt would be attending Executive Session at 5:00 p.m. via Zoom.

### **A.1 22-432**

#### **Discuss regular agenda items.**

Council Member Roman had questions related to the following Regular Agenda Items:

- Agenda Item H.3 (Josey Lane & Webb Chapel Culvert Rehabilitation/Library Cove Reconstruction)  
Council Member Roman asked for clarification regarding the timeline of the project. Director of Public Works Marc Bentley explained that construction would commence in 60 days after approval of the contract, and would have a 240-calendar day completion schedule. Council Member Roman asked if there would be any out of the ordinary disturbances during the construction phase. Mr. Bentley stated there would be lane closures, but nothing out of the ordinary.

- Agenda Item H.4 (Installation of Fitness Equipment)  
Council Member Roman asked if funds were previously approved for this expenditure. Interim City Manager John Land stated funds had been previously approved and budgeted.

- Agenda Item H.5 (Installation of Synthetic Turf)  
Council Member Roman noted the rendering displayed a dugout included with the park and asked if that was accurate. Parks Superintendent Kerry Phillips discussed amenities of the park and that there would not be a dugout at this location. Council Member Roman asked if the fields would be exclusively for Farmers Branch residents and not rented. Mr. Phillips stated the fields would not be rented.

- Agenda Item H.6 (Code of Ordinances, Chapter 82)  
Council Member Roman noted there was no signage stating "no parking" included for this location. Mr. Bentley explained that property owner permission must be obtained for that location. Should the City obtain permission, the ordinance would have to be amended.

Council Member Driskill asked for clarification regarding Agenda Item H.3, regarding the bridges and prior renovations. Mr. Bentley discussed areas that were cracking and contained large voids, and that no other previous renovations had been completed in this area.

Council Member Jackson noted for Agenda Item H.3 that the tree removal and disposal estimate seemed high and asked if the City was able to negotiate this fee. Mr. Bentley explained the competitive bidding process noting individual line items could not be negotiated.

**A.2 22-428 Receive biannual update from the Senior Advisory Board.**

Senior Advisory Board Chair Debra Hull thanked Jackie Byles and staff at the Branch Connection for their efforts and gave a presentation discussing board participation, membership status, and activities that fulfill their mission statement.

Mayor Dye and the Council thanked Ms. Hull and the board for their leadership and community efforts.

Mayor Dye moved to Agenda Item No. A.4 at this time.

**A.4 22-431 Discuss appointment of members to the Stakeholder Advisory Committee (SAC) for the Citywide Comprehensive Plan update.**

Deputy Director of Planning Surupa Sen gave a presentation regarding the formation of the Stakeholder Advisory Committee for the Comprehensive Plan, discussing how the Committee was formed, working with the consultant to create a public engagement plan, outlined the structure and members of the Stakeholder Advisory Committee, and the plan for engaging the community.

The Mayor and Council provided recommendations and nominated two Council Members to serve on the Stakeholder Advisory Committee. The following Council Members were nominated:

- Mayor Dye nominated Council Member Merritt and Council Member Driskill
- Council Member Roman nominated Council Member Merritt and Council Member Jackson
- Council Member Driskill nominated Council Member Merritt and requested he be able to serve on the committee.
- Council Member Jackson nominated Council Member Merritt and requested he be able to serve on the Committee
- Council Member Williams nominated Council Member Merritt and Council Member Driskill.

**A.5 22-437 Receive an overview for the 2022-23 City Council Budget Process.**

Director of Finance Sherrelle Evans-Jones gave presentation over the 2022-23 budget process and budget retreat noting that further budget discussions would take place at the August 16, and September 6 City Council meetings with final budget approval at the September 20, 2022 City Council meeting.

Mayor Dye noted the Budget Retreat would take place in Council Chambers and would be open to the public.

Council Member Jackson asked if information would be available to the public. Ms. Evan-Jones explained the budget would be available on the City website.

**A.3 22-419 Presentation, discussion and direction regarding possible amendments to the Comprehensive Zoning Ordinance related to tree preservation for residential and non-residential zoning districts. (Mayor Dye)**

Deputy Director of Planning Surupa Sen gave a presentation discussing the background of the tree preservation ordinance, conducting tree surveys, repercussions and replacement options when trees were removed, and next steps should the Council want to move forward with a tree preservation ordinance.

Mayor Dye noted that if this ordinance were in place previously, certain construction projects would have been required to replace trees that had been removed.

Council Member Jackson believed it made sense for Farmers Branch, the City in Park, to have a tree preservation ordinance in place. Mr. Jackson asked about storm damage as it relates to this ordinance. Ms. Sen explained there would be considerations within the ordinance for special circumstances. Mr. Jackson stated that he was interested in seeing this ordinance move forward assuming ordinances from other cities were also reviewed.

Council Member Driskill asked if other cities have a tree preservation ordinance. Ms. Sen noted that many other cities have a tree preservation ordinance in place. Mr. Driskill noted he was in favor of moving forward.

Council Member Roman stated he was interested in moving forward but wanted to be cautious about requiring residents to obtain permission to replace trees.

Council Member Williams was also in favor of moving forward, but did not want any penalty in the case of natural disasters.

**A.6 22-436****Discuss various code topics related to solid waste cart storage, garage sales, rain barrels, shopping carts, and other various code topics, and possible revisions, as requested by City Council and Staff. (Mayor Dye, Council Member Roman, Council Member Driskill, Council Member Merritt, Council Member Jackson)**

Deputy Director of Neighborhood Services Leo Bonanno gave a presentation on requested code topics which included solid waste cart storage and its location near or in front of the home. Discussion was held regarding placement of the carts, city functioning as an HOA, hiding carts from street view, and clarification of what would be considered the front of the house. Mr. Bonanno discussed how the definition of what was considered the front of the house and where cart placement should occur. Council was in favor of clarifying what was considered the front of the home and maintaining the cart from public view.

Mr. Bonanno also discussed rain barrels, and gave examples of various types of rain barrels. The Council was in support of rain barrels but wanted additional research and a recommendation from the Sustainability Department regarding guidelines in size, appearance, and barrels that do not attract mosquitoes, while maintaining the appeal of the neighborhood.

Mayor and Council convened into Executive Session at 5:01 p.m. and reconvened to this item at 8:21 p.m.

The presentation from Mr. Bonanno continued discussing garage sales, current garage sale enforcement, possible permitting process for garage sales, the number of complaints/violations related to garage sales, and enforcement of non-permitted garage sales. Deputy Director of Community Services Dannielle Summers spoke on the current permitting process for garage sales, monitoring sales, and answered questions about the online software. Staff agreed to come back at a later date with a potential solution.

Mr. Bonanno discussed the unsightly nature of tree stumps, the height of allowable tree stumps, and the current tree stump enforcement plan. Council discussion took place regarding the initial intent of the ordinance, and the inventory of stump locations. Mayor and Council were in favor of removing dead trees, and creating a moratorium for tree stumps while inventory of stumps and enforcement was discussed.

Mr. Bonanno discussed the nuisance of shopping carts being found in the City. Council suggested reaching out to the City of Dallas for possible enforcement, aesthetics of carts in the city, and how to get compliance. Mr. Bonanno discussed how carts were being left in the right of way and staff from various departments were inspecting and removing when they were noticed. The carts were being salvaged and recycled with other metals, and staff was looking for alternate methods to remove the nuisance.

Mr. Bonanno discussed easement access and maintenance between two properties that back up to each other, when and how the residents maintain those easements, and that they were considered private property. City Attorney Pete Smith explained easement access and owners' rights. Discussion was had about possible solutions with Oncor. Assistant City Manager Ben Williamson explained that the City is working to obtain a right of entry agreement from Oncor to access Oncor easements. Staff would report back on future movement with this proposed program.

**A.7 22-433 Discuss future agenda items.**

**B.1 22-360 EXECUTIVE SESSION**

**Council may convene into closed Executive Session pursuant to Section 551.072 of the Texas Government Code:**

**- To discuss the purchase, exchange, lease or sale of real property north of Farmers Branch Lane, south of Valley View, east of IH35, and west of Josey Lane.**

**Council may convene into closed Executive Session pursuant to Section 551.071 of the Texas Government Code:**

**- Consultation with the City Attorney to discuss the 2022 redistricting boundaries for Districts, 1, 2, 3, 4, and 5.**

Mayor Dye recessed into Executive Session at 5:01 p.m. Executive Session was resumed after the regular meeting and reconvened into Executive Session at 6:45 p.m.

**C. CALL TO ORDER - REGULAR MEETING (6 P.M.)**

Mayor Dye called the meeting to order at 6:01 p.m.

**D. INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Dye led the invocation and pledge of allegiance.

**E.1 22-335 CEREMONIAL ITEMS**

**Recognition of Farmers Branch Fire Department Engine 132 and Addison Fire Department Medic 102 for their actions in saving the life of a cardiac arrest victim on April 1, 2022.**

Mayor Dye presented the lifesaving award to Farmers Branch Fire Department Engine 132.

- E.2 22-336 Recognition of Farmers Branch Fire Department Truck 131, Medic 131, NTECC dispatcher/support services specialist, Kristian Smith, and Walgreen's pharmacist, Jonathan Ugege, for their actions in saving the life of a cardiac arrest victim on April 09, 2022.**

Mayor Dye presented the lifesaving award to Farmers Branch Fire Department Truck 131.

- E.3 22-402 Consider acceptance of a donation of 12 HomeBoxes from the Knox Company to the Farmers Branch Fire Department.**

Mayor Dye accepted this donation on behalf of the City of Farmers Branch.

### **MAYOR AND CITY MANAGER'S REPORT ON ITEMS OF COMMUNITY INTEREST**

Interim City Manager John Land gave report on items of community interest.

### **CITIZEN COMMENTS**

James Lockridge, 11771 Mira Vista Blvd. spoke regarding code enforcement concerns and meeting with the Mayor, City Council members and staff to discuss code compliance.

### **CONSENT AGENDA**

**A motion was made by Mayor Dye, seconded by Council Member Roman, that Consent Agenda Items H.1 through H.6 be accepted. The motion carried with the following vote:**

**Absent:** 1 -

Mayor Pro Tem David Merritt

**Aye:** 4 -

Council Member Roman, Council Member Driskill, Council Member Williams and Council Member Jackson

- H.1 22-418 Consider approving the following City Council meeting minutes; and take appropriate action.**  
**July 19, 2022 Regular Meeting**  
**July 26, 2022 Redistricting Workshop Meeting**
- H.2 22-430 Consider excusing the absence of Council Member Michael Driskill from the July 19, 2022 City Council meeting; and take appropriate action.**
- H.3 R2022-074 Consider approving Resolution No. 2022-074 authorizing the Interim City Manager to execute a contract with Stoic Civil Construction, Inc. in the amount of \$962,400 for the Josey Lane & Webb Chapel Road Culvert Rehabilitation and Library Cove Reconstruction; and take appropriate action.**
- H.4 R2022-087 Consider approving Resolution No. 2022-87 authorizing the Interim City Manager to execute an agreement with Groves Electrical Service, Inc. in the amount of \$50,386 to install electrical for fitness equipment at the Recreation Center through the Buy Board Cooperative Purchasing contract; and take appropriate action.**
- H.5 R2022-092 Consider approving Resolution No. 2022-092 to authorize the Interim City Manager to award a contract in the amount of \$130,000 for the installation of synthetic turf to convert the Hockey Rink at Oran Good Park to a practice soccer field; and take appropriate action.**

**H.6 ORD-3753** Consider adopting Ordinance No. 3753 amending the Code of Ordinances, Chapter 82 "Traffic and Vehicles", Article II "Operation of Vehicles: Division 6 "Parking" Section 82-95 "No Parking Zones" by establishing a No Parking Zone on Chartwell Crest; and take appropriate action.

**H.7 R2022-089** Discuss and approve Resolution No. R2022-089 to create and appoint members to the Stakeholder Advisory Committee (SAC) for the Citywide Comprehensive Plan update; and take appropriate action.

A motion was made by Mayor Dye, seconded by Council Member Jackson, that this Resolution be accepted appointing Council Member Merritt and Council Member Driskill to the Stakeholder Advisory Committee. The motion carried by the following vote:

**Absent:** 1 - Mayor Pro Tem Merritt

**Nay:** 1 - Council Member Roman

**Aye:** 4 - Mayor Dye, Council Member Driskill, Deputy Mayor Pro Tem Williams and Council Member Jackson

## **REGULAR AGENDA ITEMS**

### **PUBLIC HEARING(S)**

**J.1 ORD-3751** Conduct a public hearing and consider adopting Ordinance No. 3751 for a Specific Use Permit for an animal clinic or hospital (no outside runs, play area, or pens allowed) on an approximate 8.174-acre property located at 13617 Inwood Road, Suite 240 and take appropriate action.

Senior Planner Chris Webb gave regarding the proposed specific use permit discussing the operational plan, proposed floor plan, and Comprehensive Plan recommendation.

Questions were asked and answered regarding the specific use permit applying only to Suite 240, not the entire building. The owner of the animal clinic explained the purpose for the clinic and answered questions from City Council about other eye service clinics, demand for his services, experience with the Farmers Branch Animal Shelter, and applying for another specific use permit should any aspect of the use change.

A motion was made by Council Member Jackson, seconded by Council Member Roman, that this Ordinance be accepted. The motion carried by the following vote:

**Absent:** 1 - Mayor Pro Tem Merritt

**Aye:** 4 - Council Member Roman, Council Member Driskill, Deputy Mayor Pro Tem Williams and Council Member Jackson

## **TAKE ANY ACTION NECESSARY AS A RESULT OF THE CLOSED EXECUTIVE SESSION**

Council reconvened from Executive Session at 8:21 p.m. No action was taken as a result of Executive Session. The City Council returned to Agenda Item A.6 to complete discussion on this item.

**ADJOURNMENT**

Mayor Dye adjourned the meeting 9:35 p.m.

Approved by: \_\_\_\_\_  
Mayor Robert Dye

Attested by: \_\_\_\_\_  
Stacy Henderson, TRMC, City Secretary

