

**City of Farmers Branch**

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

Meeting Minutes**City Council**

Tuesday, December 13, 2016

6:00 PM

Council Chambers

Study Session Meeting to be held at 3:00 p.m. in the Study Session Room

- Presiding:** 1 - Mayor Bob Phelps
- Present:** 5 - Mayor Pro Tem Harold Froehlich, Deputy Mayor Pro Tem Ana Reyes, Council Member John Norwood, Council Member Terry Lynne, Council Member Mike Bomgardner
- Staff:** - John Land Deputy City Manager, Amy Piukana City Secretary, Pete Smith City Attorney, Tom Bryson Communications Director, David Hale Police Chief, Allison Cook Economic Development Director, Andy Gillies Community Services Director, Randy Walhood Public Works Director, Denise Wallace, Library Director, Hugh Pender Building Official, Shane Davis Environmental Services and Solid Waste Manager, Steve Parker Fire Chief, Tim Dedear Deputy Fire Chief/Fire Marshal, Brian Beasley Human Resource Director, Sherrelle Evans-Jones Finance Director, Mitzi Davis Parks and Recreation Project Manager

A. STUDY SESSION

Mayor Phelps called the Study Session meeting to order at 3:00 p.m.

A.1 [16-256](#) Discuss regular City Council meeting agenda items.

Council Member Lynne asked for clarification regarding the following Agenda Items G.4 (2015 Building Code), regarding city requirements for building a tornado shelter at the new Fire Station. Fire Chief Steve Parker explained a shelter is required and has been submitted with the budget. Council Member Lynne asked for clarification regarding Agenda Item G.11 (Fire Prevention and Protection), asking what buildings are affected.

Deputy Chief Tim Dedear explained the only high rise building affected is located at 13612 Midway Road located at the intersection at Alpha and Midway. Council Member Lynne asked for clarification regarding Agenda Item G.13 (Pedestrian access/sidewalk easement), asking if funding is budgeted within the Capital Improvement Project (CIP) Fund. Special Project Manager for Parks and Recreation Mitzi Davis confirmed this is budgeted through the CIP fund.

Council Member Norwood asked if the City has reached out to Dallas County College to consider adding improvements such as benches to enhance the trail. Deputy City Manager John Land noted he will follow up with the College to see if this is an option, noting Dallas County College has been a great partner.

Council Member Lynne asked for clarification regarding Agenda Item G.14 (Weaver Consultants Camelot Landfill), asking if the cost estimate includes new gas wells. Environmental Services and Solid Waste Manager Shane Davis replied tonight's agreement is for professional services to provide design, permitting, and construction quality assurance, noting the City will bid for construction and it is a budgeted item.

Mayor Pro Tem Froehlich asked if this increases our gas sales off the landfill. Mr. Davis replied this will not increase sales.

Council Member Bomgardner asked if Agenda Items G.4 (Building Code), G.5 (Residential Code), and G.6 (Energy Code) includes any LED lighting regulations. Building Official Hugh Pender explained there are no LED requirements, noting these amendments are recommended by the North Central Texas Council of Governments.

Council Member Bomgardner asked if the City is obligated to comply with the new swimming pool requirements. Mr. Pender noted this is only for new construction.

Deputy Mayor Pro Tem Reyes asked for clarification regarding Agenda Item G.2 (Redflex), asking if agreements are done annually to avoid any future legislative conflicts and how many red light cameras the City currently has. Chief Hale explained the contract has a termination provision in the event of any state changes. He further stated the City currently has eight (8) red light cameras at six (6) intersections.

Deputy Mayor Pro Tem Reyes asked if the red light cameras were abandoned, how long equipment removal would take and how many cities Redflex has agreements with. Redflex Representative Jack Matthews explained, the systems would be turned off by the next day and equipment would be removed within two to three months, requiring a contractor removal. He further stated Redflex currently contracts with 25 other cities

Mayor Pro Tem Froehlich asked if the Demolition/Rebuild items could be grouped and voted on together. City Attorney Braden Metcalf explained this could be done if Resolution Numbers and addresses were provided in one motion.

Council Member Bomgardner asked if he should recuse himself from voting on any items pertaining to Agenda Item I.13 (Wooded Creek Wall) since he lives in that

neighborhood. Attorney Braden Metcalf explained this item is for discussion, and he will review to see if there is a need in the future for Council Member Bomgardner to recuse himself from a vote.

Council Member Bomgardner asked for an independent review of the Manske Public Library to be conducted to compare with other Libraries, and help assess future investments. Council Member Norwood explained UNT has a Library Program, and recommended staff research. Deputy City Manager John Land agreed to research the option to obtain an independent review of the Manske Library, noting an audit has already been completed.

A.2 [16-314](#) Receive an update from Former State Representative Fred Hill concerning Legislative issues.

Deputy City Manager John Land introduced Former State Representative Fred Hill. Mr. Hill reviewed the roll back rate noting this affects local governments. He provided an overview of what he feels is causing high local property taxes. Mr. Hill reviewed the local property tax and state aid chart noting the rise in local property taxes since 2008 and the decline in state aid as a percentage of the total. He noted the local taxpayer has had to shoulder a huge increase in school funding through local property tax. He noted cities and counties are not to blame and the legislature needs to focus on the real problem which is school funding issues.

Mayor Phelps encouraged citizens to reach out and communicate with State Representatives regarding these issues that impact citizen property taxes.

A.3 [16-263](#) Receive an update on proposed amendments to the Mandatory Crime Reduction Program for Apartment Complexes.

Police Chief David Hale briefed City Council regarding this item. Chief Hale reviewed the following proposed amendments to the Mandatory Crime Reduction Program: 1) Adds FBPD Criminal Trespass Program and signage, 2) Adds Residential Security Survey to be returned to Police Chief within 30 days of move in, 3) Increases program fee to \$2,000, 4) Adds "Repeat Offender Status", Repeat after 24 months in program and requires complex to hire on site security. Chief Hale explained the probationary status requires that once deemed a repeat offender the complex has 90 days to fall below the crime threshold for a minimum of 30 consecutive days. It adds suspended status which means failure to make probation results in the complex not being able to rent vacant apartments for 90 days, and failure to fall below the crime threshold during the first period of suspension will result in the complex not being able to rent vacant apartments for 180 days.

Council Member Bomgardner asked if there is a fine for offenses. Chief Hale replied the amount is a fine up to a maximum of \$2,000.00.

Deputy Mayor Pro Tem Reyes asked how the City is ensuring the units stay vacant, if required. Chief Hale explained the City reviews every 6 months and works with the

Landlords to ensure compliance. Deputy City Manager John Land added the City can track these apartment units with online apartment finders to ensure they are not posting vacancies during this period.

Mayor Pro Tem Froehlich suggested researching a similar ordinance City of Fort Worth uses. Council Member Norwood asked that the City be proactive and communicate clearly to apartment owners and managers.

Council Member Lynne suggested having something in writing and obtaining signatures to keep on file showing they were notified.

A.4 [16-319](#) **Receive a report from the Sustainability Committee prioritizing the items they will review during the next year and possibly bring to City Council for consideration.**

Mr. Davis introduced Sustainability Committee Chairman Robert Ter Kuile who provided an overview of committee accomplishments. Mr. ter Kuile noted the committee held 5 meetings to establish the rules of order and general governance. He explained the committee met and formed three (3) subcommittees for 1) Education, 2) Resource Conservation, and 3) Recycling and Waste Reduction.

Mr. ter Kuile explained the top priorities for the Recycling and Waste Reduction Subcommittee were:

- 1) Recycling Education Campaign – Recommend starting a City wide free recycle and community garage sales event, create a web tool to help residents identify recyclable materials, and regularly communicate City recycling metrics.
- 2) Bulk Brush – Perform an analysis of alternatives to landfill disposal for bulk trash.
- 3) Hazardous Waste Disposal – Expand education on current programs and initiatives, and research how the City could expand current services.

Mr. ter Kuile explained the top priorities for the Resource Conservation Subcommittee were:

- 1) Energy and Water Audits – Establish a baseline for City electricity, water, and fuel use, identify opportunities to save utilities cost through efficiency improvements, and create a Water Reduction Plan for City facilities.
- 2) Residential and Small Business Education/Awareness- Provide education materials and tools to home owners and small businesses within the City to save on their utility costs, and identify and provide easy access to tools, processes and systems for residents and small businesses.
- 3) Explore Renewable Energy – Perform analysis of Cities current energy sourcing agreements, identify opportunities to reduce cost and increase the amount of renewable energy.

Mr. ter Kuile explained the top priorities for the Education Subcommittee were:

- 1) Keep Texas Beautiful – KTB provides funds to affiliates to create and expand local community improvement programs, free supplies and volunteer incentives for cleanup events, awards and recognition.
- 2) Communication Planning for Sustainability Efforts – work with the City's Director of Communication to identify current channels used to inform and educate residents, create a landing page/site for communicating Farmers Branch's sustainability efforts.
- 3) Sustainability Ambassadors – Partnering with our residents that are passionate about sustainability and equipping them to educate others, leverage outdoor, community, and City sponsored events to expand the reach of sustainability efforts.

Mr. ter Kuile noted the committee's potential funding needs will include the following:

- Keep America Beautiful Application Fee
- Funds for Sustainability Communication (flyers, website updates, banners, etc.)
- Sustainability Ambassadors (shirts, handouts, stickers, etc.)
- Tools for Energy and Water Audits
- Materials for Additional Recycling Bin Screens for at need homes

City Council thanked the Sustainability Committee and Chairman Robert ter Kuile for their time and commitment.

A.5 [16-257](#) Discuss agenda items for future City Council meetings.

Council Member Lynne asked for an update regarding the new policy and procedures for Code Enforcement Complaints to include the new tracking system. Council Member Lynne suggested a presentation from Oncor on street lighting and an update on Public Information Requests.

Council Member Lynne expressed interest in switching street lights to LED lighting, noting he wants to lobby with Oncor to gain participation. Mayor Pro Tem Froehlich asked that the Sustainability Committee information be posted on the City's website. Council Member Norwood asked for a future agenda item to discuss dual cart recycling systems.

City Council recessed from Study Session at 4:58 p.m. for a break and reconvened into closed Executive Session to discuss Agenda Item J.1, at 5:07 p.m.

J.1 [16-311](#) Council shall convene into a closed executive session pursuant to Section 551.072 of the Texas Government Code to deliberate regarding:

- (a) Discuss the purchase, exchange, lease, or sale of real property located at 13605 Webb Chapel Road. No action*
- (b) Discuss the purchase, exchange, lease, or sale of real property located north of 635, east of I35, west of Webb Chapel Road, south of Valwood Parkway.*

Mayor Phelps recessed from Executive Session at 5:48 p.m.

Mayor Phelps called the regular meeting to order at 6:00 p.m.

B. INVOCATION & PLEDGE OF ALLEGIANCE

State Representative Matt Rinaldi led the invocation and Deputy Mayor Pro Tem Reyes led the Pledge of Allegiance.

C. CEREMONIAL ITEMS

C.1 [16-318](#) Recognition of Parks and Recreation Department staff for the award of Excellence in Maintenance on behalf of the Texas Recreation and Park Society.

Mayor Phelps recognized Parks and Recreation Director Jeff Harting for staff receiving the award of Excellence in Maintenance on behalf of the Texas Recreation and Park Society. (The following employees were recognized: Pam Smith and Sara Hinton.)

C.2 [16-305](#) Receive an update from State Representative Matt Rinaldi regarding the upcoming Legislative Session.

State Representative Matt Rinaldi briefed City Council providing an overview of legislative priorities. He reviewed the Lieutenant Governors legislative priorities which include 2017 budget proposal, property tax reform (rollback tax), and school choice. He further stated he is representing the City of Farmers Branch and putting pressure on TCEQ to address the issues with Farmers Branch Creek and Town of Addison.

Council Member Bomgardner and Mayor Pro Tem Froehlich expressed concerns regarding the rollback tax, noting it would not be beneficial to cities since it limits funding accessibility.

D. REPORT ON STUDY SESSION ITEMS

Mayor Pro Tem Froehlich provided a report on study session items.

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

Deputy City Manager John Land announced the following items of community interest:

- Anyone requiring public information from the City should be thrilled to know that City Secretary Amy Piukana has launched a "Public Information Request Center" online. The new system will streamline the process of requesting public information, allowing citizens to track their request, receive updates by email and download any responsive documents. It's online now at the City's website, farmersbranchtx.gov.
- The Christmas Tour of Lights is underway and is bigger and better than ever. Traffic is already starting to build so anyone coming out should get here early for the driving tour that will take participants through a Winter Wonderland of animated lights and displays. Find out more at fblights.com.

- The Farmers Branch Manske Library stages their annual “Santa and Cookies” event tomorrow night, Wednesday, December 14 at 6 p.m. The family is invited to an evening of cookie decorating and ornament making. Kids can take a picture with Santa and hear a reading of “T’was the Night Before Christmas.” Those attending are asked to consider bringing a donation of a new toy or winter jacket to benefit Metrocrest Services and the families they serve.
- As Christmas Eve and Christmas Day, as well as New Year’s Day, fall on weekends this year, the City will be observing holidays with most City offices and facilities closed on Friday, December 23 and Mondays, December 26 and January 2. The Community Recreation Center, Natatorium, Senior Center and Historical Park will operate abbreviated hours on those days and participants should call those facilities directly for more information. All offices and facilities will be closed on December 24 and 25 and January 1. Very importantly, there will be garbage collection on Mondays, December 26 and January 2.
- Please note the special Council meeting schedule in January. Regular meetings will be held the second and fourth Tuesdays (in January only), that is January 10 and 24. However, there will be a special Council meeting on Monday, January 9 to discuss funding of the proposed Tax Increment Reinvestment Zone for the City’s west side. With that said, all meetings are subject to change and anyone desiring more info should call (972)247-3131.
- You can sign up for eNews at farmersbranchtx.gov to have current City news and information delivered directly to your eMail box.

Council Member Lynne announced he attended the grand opening of a business called 721 Financial Solutions located at Villa Creek Business Park, he noted this business relocated to Farmers Branch and welcomed them to the community.

Deputy Mayor Pro Tem Reyes recognized former Council Member Kirk Connally, Former Mayor William Glancy, former Mayor John Dodd, and former Council Member David Koch who were in attendance of the City Council meeting.

F. CITIZEN COMMENTS

The following citizens wished to speak under citizen comments:

Pat Thompson read an excerpt from Dr. Gilbert’s historical journal in an effort to educate everyone about history of Farmers Branch life.

Former Mayor Dodd spoke regarding the Library asking that the contract be brought back and managed by the City.

G. CONSENT ITEMS

- G.1 [16-306](#) Consider approving minutes of the City Council meeting held on November 15, 2016; and take appropriate action.
- G.2 [R2016-097](#) Consider approving Resolution No. 2016-097 authorizing the City Manager to execute an amendment to the agreement with Redflex

Traffic Systems for the continued provisioning of photographic red light enforcement services; and take appropriate action.

- G.3 [R2016-121](#) Consider approving Resolution No. 2016-121 abandoning a utility easement located on property both within the City limits of Farmers Branch and the City of Dallas; and take appropriate action.
- G.4 [ORD-3405](#) Consider adopting Ordinance No. 3405 approving the 2015 International Residential Code as amended; and take appropriate action.
- G.5 [ORD-3406](#) Consider adopting Ordinance No. 3406 adopting the 2015 International Building Code as amended; and take appropriate action.
- G.6 [ORD-3407](#) Consider adopting Ordinance No. 3407 adopting the 2015 International Energy Conservation Code as amended; and take appropriate action.
- G.7 [ORD-3408](#) Consider adopting Ordinance No. 3408 approving the 2015 International Mechanical Code as amended; and take appropriate action.
- G.8 [ORD-3409](#) Consider adopting Ordinance No. 3409 adopting the 2015 International Plumbing Code as amended; and take appropriate action.
- G.9 [ORD-3410](#) Consider adopting Ordinance No. 3410 adopting the 2015 International Fuel Gas Code as amended; and take appropriate action.
- G.10 [ORD-3411](#) Consider adopting Ordinance No. 3411 approving the 2014 National Electric Code as amended; and take appropriate action.
- G.11 [ORD-3414](#) Consider adopting Ordinance No. 3414 amending Chapter 38 titled "Fire Prevention and Protection" of the Code of Ordinances by adopting the provisions of the 2015 edition of the International Fire Code with amendments; and take appropriate action.
- G.12 [ORD-3413](#) Consider adopting Ordinance No. 3413 approving the 2015 Texas Food Establishment Rules as amended; and take appropriate action.
- G.13 [R2016-104](#) Consider approving Resolution No. 2016-104 authorizing the acceptance of a sidewalk and pedestrian access easement from Dallas County Community College District related to the bicycle and pedestrian trail system; and take appropriate action.
- G.14 [R2016-115](#) Consider adopting Resolution No. 2016-115 authorizing the City Manager to execute a professional services agreement with Weaver Consultants Group, LLC for Phase E of the landfill gas collection stem at Camelot Landfill for the design, permitting, and construction quality assurance; and take appropriate action.

Motion made by Mayor Pro Tem Froehlich Member to approve Consent Items G.1 through G.14, as presented. Motion seconded by Council Member Lynne. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

H.1 16-300 Conduct a public hearing and consider an appeal from designation in the Mandatory Crime Reduction Program for London Square Apartments located at 4030 Valley View Lane in Farmers Branch; and take appropriate action.

Police Chief David Hale briefed City Council regarding this item. Chief Hale noted this property was designated into the program as of October 10, 2016. He noted the property owners have requested an appeal. He reviewed the Crime Index, noting this property meets the threshold at a range of 12.4 crime index. Chief Hale noted the offenses are only counted if the activity occurs at the property.

Deputy Mayor Pro Tem Reyes asked for clarification on the programs purpose. Chief Hale explained the number one goal is to provide safety to residents. He further stated the program has community outreach meetings as part of the program, which is mandatory. He explained since the original Ordinance was passed, the City has benefited significantly from the program.

Mayor Phelps opened the public hearing. The following citizens wished to speak.

London Square Regional Supervisor Michelle Duncan, spoke requesting similar standards that City of Dallas uses in its Ordinance be considered in regards to excluding domestic violence reports in the crime index reporting. She further stated the credit check requirement should be removed from the program.

Council Member Bomgardner replied that domestic violence is a crime, and noted the rate of domestic violence is 4 ½ times higher than the other apartments. He noted this is a standard that he does not support changing in regards to excluding domestic violence.

Council Member Lynne asked how many evictions the property had from the program. Ms. Duncan replied that no evictions were done, noting a letter to vacate property is provided.

Ms. Duncan asked why there is a requirement to do a credit check with the Crime Prevention Program.

Chief Hale replied the programs main focus is on the criminal history.

Council Member Norwood asked if credit check costs are an issue. Ms. Anderson replied that cost is not the issue, noting the increased paperwork and application process to conduct the criminal check is the issue.

After discussion, Council Member Norwood explained Council will review the credit check portion of the requirement at a future Council meeting to consider amending.

Resident Michelle Holmes spoke noting the program includes domestic violence prevention and encouraged residents to attend the crime prevention meetings to allow communication and outreach.

Motion made by Mayor Pro Tem Froehlich to close Public Hearing. Motion seconded by Council Member Bomgardner. Motion approved by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

After discussion, Mayor Pro Tem Froehlich made a motion to sustain the Farmers Branch Police Department's crime index findings for the multifamily complex located at 4030 Valley View and affirm the Farmers Branch Police Department's October 10, 2016 designation and enrollment of London Square in the City's Mandatory Crime Reduction Program. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

City Council recessed at 7:30 p.m. for a short break.

Mayor Phelps reconvened into Regular Session at 7:41 p.m.

- H.2 [ORD-3404](#) **Conduct a public hearing and consider adopting Ordinance No. 3404 authorizing a Specific Use Permit for the sale of alcoholic beverages in a qualified restaurant located at 1801 Royal lane, Suite 700; and take appropriate action.****

Community Services Director Andy Gillies briefed City Council regarding this item. The applicant, Luna Taps, is proposing a new restaurant to serve the large multi-family residential population found in the area. Mr. Gillies explained the applicant is requesting alcohol beverage sales to be served with meals. The restaurant would be a "neighborhood bar and grill" concept and would provide a variety of food and drinks. The proposed restaurant would occupy approximately 2,882 square feet. He noted the restaurant would include a kitchen and bar area, as well as indoor and outdoor seating areas. He explained the indoor seating arrangement includes approximately 78 seats. He noted the restaurant has also proposed a "To-Go" area and entry at the eastern façade.

Mr. Gillies explained the applicant is also proposing to add two outdoor patio dining areas, along the southern and western portions of the building. This dining area would allow for 36 additional seats. He noted, in order to create this outdoor patio area, the applicant is proposing to remove three existing parking spaces. The total indoor and outdoor seating for the proposed restaurant is approximately 132 seats.

Mr. Gillies noted the applicant has proposed a new 4' sidewalk. He explained this sidewalk will act as a connection from Luna Road to help create better pedestrian access to the restaurant from the street.

Mayor Phelps opened the public hearing. There were no citizens that wished to speak.

Motion made by Council Member Lynne to close the public hearing. Motion seconded by Council Member Bomgardner. Motion approved by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

Council Member Lynne made a motion to approve Ordinance No. 3404, as presented. Motion seconded by Mayor Pro Tem Froehlich. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

I. REGULAR AGENDA ITEMS

- I.1 [R2016-105](#) Consider approving Resolution No. 2016-105 authorizing the City Manager to negotiate and execute the second amended and restated agreement for library services with Library Systems & Services; and take appropriate action.**

Deputy City Manager John Land briefed City Council regarding this item noting in 2011 the City outsourced the operation of the Manske Library to Library Systems & Services Incorporated (LSSI). He explained in 2013, the City Council renewed the agreement for a 3-year term that expires December 31, 2016. He noted during the term of the agreement LSSI was sold to Argosy Private Equity and is now called Library Systems & Services (LSS).

Mr. Land explained the new agreement is a 5-year contract that would begin January 1, 2017 and expire December 3, 2021, and includes a 2.5% (\$30,233.33), increase from the previous year, attributed to the rise in the Employee Cost Index (ECI) for the DFW Metroplex. Mr. Land explained the proposed annual cost for 2017 is \$1,239,566.33, and the price of the agreement is negotiated on a yearly basis, or may renew at the same amount as the previous year, plus an additional amount equal to the percentage increase in the ECI but not to exceed 5%.

Mr. Land noted this new agreement includes, the purchase and installation of equipment that will allow the Library to offer automated self-check-in to patrons, valued at \$72,519.60.

Mr. Land noted the equipment is the second phase of the automated self-check infrastructure common in modern libraries. The equipment is being provided at LSS cost, and it will be amortized over the life of the contract. Should the City discontinue using LSS, the City would be responsible for the remaining balance owed. Once the five-year amortization period is over, LSS will turn over the ownership of the equipment to the City.

Deputy Mayor Pro Tem Reyes asked why the recommendation is for a five (5) year agreement, unlike the past years. Mr. Land replied the City has saved money with over six (6) years of experience and success in the past. He explained he feels very comfortable with a five (5) year extension to the agreement.

Mayor Pro Tem Froehlich asked if the Library Board agrees with this recommendation. Mr. Land replied that the Library Board agreed to recommend renewal of the contract. Mr. Land noted this saves us about \$400,000 a year in operating costs.

After discussion, Mayor Pro Tem Froehlich made a motion to approve Resolution No. 2016-105, as presented. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

I.2 [R2016-116](#) Consider approving Resolution No. 2016-116 approving a detailed Site Plan for a 35.7 acre tract located west of Mercer Crossing Lake and south of Wittington Place; and take appropriate action.

Community Services Director Andy Gillies briefed City Council regarding this item. Mr. Gillies noted this detailed site plan is for a proposed single family neighborhood to be known as "Brighton". Brighton is the easternmost residential community being developed by the applicant, Centurion American. Mr. Gillies noted Brighton will contain 35.7 total acres. He explained the site will be composed of 91 single family residential lots. Fourteen (14) of these lots will be front garages. The remaining 77 lots are rear loaded (driveways and garages facing the alleyway).

Mr. Gillies explained the Brighton neighborhood is designed to take full advantage of the newly expanded Mercer Crossing Lake to the east. He noted the Chartwell Crest will serve as the main north/south street through the community. Mr. Gillies explained the only entry points into the Brighton neighborhood will be along Chartwell Crest. He noted the northern entry will be at Wittington Place, and the southern entry at future Mercer Parkway.

Michael Beaty representing Centurion American was present to answer any questions.

Motion made by Council Member Lynne to approve Resolution 2016-116, as presented. Motion seconded by Mayor Pro Tem Froehlich. Motion approved by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

I.3 [R2016-117](#) Consider approving Resolution No. 2016-117 for approval of a detailed Site Plan for a 16.8 acre tract located east of Luna Road and south of Wittington Place; and take appropriate action.

Community Services Director Andy Gillies briefed City Council regarding this item. Mr. Gillies explained this Detailed Site Plan is for a proposed single family neighborhood (to be called "Ashington") being developed by the applicant, Centurion American (CADG). He noted the Ashington Development is located on approximately 16.1 total acres.

He noted it will be composed of 60 single family residential lots. All of these lots are rear loaded (driveways and garages facing the alleyway). Mr. Gillies explained these rear loaded lots will be a minimum of 50' in width and 105' in depth. He further stated all lots within the Ashington neighborhood meet or exceed 5,250 square feet in total area. He noted the site plan indicates a pedestrian trail connection.

Council Member Lynne asked what the price point for these homes would be. Mr. Gillies replied \$400-650,000 price point range.

Deputy Mayor Pro Tem Reyes asked about an amenity center. Mr. Gillies explained an amenity center will be completed within the first phase of the project.

After discussion, Council Member Lynne moved to approve Resolution No. 2016-117, as presented. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

I.4 [2016-118](#) Consider approving Resolution No. 2016-118 amending the Policy Statement on Local Economic Development and Business Incentives for the demolition rebuild program; and take appropriate action.

Economic Development Director Allison Cook briefed City Council regarding this item. Ms. Cook explained Council directed staff to increase the demolition incentive from \$5,000 to \$12,500 for houses valued over \$100,000, and to \$15,000 for those under \$100,000. She noted additionally, to help balance the increase in increased demolition incentives, it was suggested to limit the number of years of tax rebates from seven (7) years to five (5) years.

Mayor Pro Tem Froehlich made a motion to approve Resolution No. 2016-188, as presented. Motion seconded by Council Member Norwood. Motion approved by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

City Council grouped and reviewed Agenda Items I.5, I.6, I.7 and I.8 together.

- I.5 [R2016-111](#) **Consider approving Resolution No. 2016-111 authorizing execution of a Residential Demolition/Rebuild Incentive for the owner of the property located at 14326 Castleton Drive; and take appropriate action.**
- I.6 [R2016-122](#) **Consider approving Resolution No. 2016-122 authorizing execution of a Residential Demolition/Rebuild Program Incentive Agreement for the owner of the property located at 3535 Apple Valley; and take appropriate action.**
- I.7 [R2016-123](#) **Consider approving Resolution No. 2016-123 authorizing execution of a Residential Demolition/Rebuild Program Incentive Agreement for the owner of the property located at 12711 Epps Field Road; and take appropriate action.**
- I.8 [R2016-128](#) **Consider approving Resolution No. 2016-128 authorizing execution of a Residential Demolition/Rebuild Program Incentive Agreement for the owner of the property located at 14340 Olympic Drive; and take appropriate action.**

Economic Development Director Allison Cook briefed City Council regarding these items.

Motion made by Council Member Norwood to approve Resolution Nos. 2016-111, for property at 14326 Castleton Drive, Resolution No. 2016-122 for property at 3535 Apple Valley, Resolution No. 2016-123, for property at 12711 Epps Field Road, and Resolution No. 2016-128 for property at 14340 Olympic Drive, as presented. Motion seconded by Mayor Pro Tem Froehlich. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

- I.9 [R2016-125](#) **Consider approving Resolution No. 2016-125 authorizing a Commercial Façade Revitalization Grant Agreement for 4885 and 4887 Alpha Road; and take appropriate action.**

Economic Development Director Allison Cook briefed City Council regarding this item. Ms. Cook noted in 2012, a Commercial Facade Revitalization Program (Program) was developed and funded to encourage property owners to enhance the publicly viewed

areas of their buildings. The Program is set up as a single payment reimbursement to property owners per building/business, and in some situations, tenants. Facade grants are available up to a 50/50 matching basis with a minimum project value of \$2,000 and a maximum reimbursement of \$50,000 per grant, unless otherwise approved by the City Council. She noted since the Program's inception, nine grants have been approved.

The applicant Jonathan Creel with GFF Architects was present to speak. Mr. Creel noted both 4885 and 4887 Alpha Road consist of a shopping/retail center which totals 75,384 square feet. Mr. Creel explained he plans to use the grant to beautify the property and unify all storefronts with a consistent modern design. He noted the total cost of project is estimated at \$703,845.00. Ms. Cook noted the applicant seeks the full \$50,000.00 grant, which is less than 10% of the entire project.

Council Member Lynne asked what percentage of the shopping center is currently leased. Mr. Creel replied 60% is currently leased.

Council Member Lynne made a motion to approve R2016-125, as presented. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

I.10 [R2016-129](#) Consider approving Resolution No. 2016-129 authorizing the purchase of a 105 foot ladder truck for the Fire Department through the Houston-Galveston Area Council of Government Cooperative Purchasing Agreement; and take appropriate action.

Chief Parker briefed City Council regarding this item. Chief Parker noted as the city continues to grow, the fire and rescue challenges facing the Fire Department are changing. The growth of high-density apartment complexes, large custom homes and the soon to begin Mercer Crossing residential development have brought with it the need for the Fire Department to be able to provide ladder access to 4th and 5th floor apartment balconies, along with the ability to deliver fire streams to much larger, taller dwellings that are closely spaced together.

To meet these challenges, the Fire Department is requesting to add a 105' Pierce Dash CF Heavy Duty Ladder Truck to our fleet utilizing the HGAC purchasing cooperative. He noted this is included in the FY 16-17 fixed asset account in the amount of \$1,050,000.

Deputy Mayor Pro Tem Reyes made a motion to approve Resolution No. 2016-129, as presented. Motion seconded by Mayor Pro Tem Froehlich. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

I.11 [R2016-119](#) Consider approving Resolution No. 2016-119 authorizing the City Manager to negotiate and execute a contract for medical stop-loss insurance coverage; and take appropriate action.

Human Resource Director Brian Beasley briefed City Council regarding this item. Mr. Beasley noted the Stop-loss insurance is a product that provides protection against catastrophic or unpredictable losses. It is purchased by employers who have decided to self-fund their employee benefit plans, but do not want to assume 100% of the liability for losses arising from the plans. He noted under a stop-loss policy, the insurance company becomes liable for losses that exceed certain limits called deductibles. He noted the current covered benefits are medical and prescription drugs for employees and retirees. He noted the annual aggregate attachment factor is \$3.8 million down from \$4.4 million with a specific deductible of \$125,000. Mr. Beasley explained the cost for this coverage is \$340,000, which has significantly decreased from \$369,000.

Mayor Pro Tem Froehlich asked what caused the increased savings. Mr. Beasley noted the City implemented a wellness program, which requires annual health screenings and wellness training. He contributes this program to increased health awareness to all employees.

Motion made by Council Member Lynne to approve Resolution No. 2016-119, as presented. Motion seconded by Mayor Pro Tem Froehlich. Motion approved by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

I.12 [R2016-120](#) Consider approving Resolution No. 2016-120 authorizing the City Manager to negotiate and enter into an agreement with Gallagher Construction in an amount not to exceed \$250,000.00 to serve the City of Farmers Branch as the Construction Manager for the Justice Center Security Upgrade project; and take appropriate action.

Police Chief David Hale briefed City Council regarding this item. Chief Hale noted Gallagher Construction has been selected to serve as the Construction Manager for the Justice Center Security Upgrade project. He explained security features will begin on the outside and move inward.

Deputy Mayor Pro Tem Reyes asked when construction will begin. Chief Hale replied next summer.

Motion made by Council Member Norwood to approve Resolution No. 2016-120 as presented. Motion seconded by Deputy Mayor Pro Tem Reyes. Motion approved by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

I.13 [16-320](#) Presentation by former Mayor William Glancy regarding wall screening at Marsh Lane and Wooded Creek.

Former Mayor William Glancy briefed City Council regarding the wall at Marsh Lane and Wooded Creek. Mr. Glancy suggested a citywide policy to establish wall requirements that allows the City design the structure of the wall to ensure a safe wall that will last. Mr. Glancy asked the residents in Wooded Creek noting over 30 have agreed to participate in a financial solution with the City to improve the Wooded Creek wall.

Mayor Phelps thanked Mr. Glancy for his presentation, and noted the City Council will advise staff to research a policy and bring forward any recommendations at a future City Council meeting.

As a result of the earlier Executive Session, City Council made the following motions under Agenda Item K.

K. RECONVENE INTO REGULAR SESSION AND TAKE ANY ACTION NECESSARY AS RESULT OF THE CLOSED SESSION

Council shall convene into a closed executive session pursuant to Section 4 551.072 of the Texas Government Code to deliberate regarding:

(a) Discuss the purchase, exchange, lease, or sale of real property located at 13605 Webb Chapel Road. No action was taken regarding this item.

(b) Discuss the purchase, exchange, lease, or sale of real property located north of 635, east of I35, west of Webb Chapel Road, south of Valwood Parkway.

Council Member Bomgardner made a motion that the City Manager be authorized to take such action on behalf of the City as may be deemed necessary to purchase, or authorize the purchase of property described as Part of Lots 1 and 4, Block A of Longmire's Addition, known as 13341 Goodland Street, and more fully described in a deed recorded in Volume 2001182, Page 3835 Deed Records of Dallas County for a purchase price not to exceed \$154,900.00 plus standard closing and acquisition costs and to sign, and authorize the City's agent, to sign such other agreements, documents, and any amendments thereto, as the City Manager, in consultation with the City Attorney, deems reasonable and necessary with respect to the closing of said transaction. Motion seconded by Council Member Norwood. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

Council Member Lynne moved that the City Manager be authorized to take such action on

behalf of the City as may be reasonable and necessary to purchase, or authorize the purchase of Lot 10, Block B of Valley View Estates Section 3, also known as 3062 Primrose Lane for a purchase price not to exceed \$140,000 plus standard closing and acquisition costs and to sign, and authorize the City's agent, to sign such other agreements, documents and any amendments thereto, as the City Manager, in consultation with the City Attorney deems reasonable and necessary with respect to the closing of said transaction. Motion seconded by Mayor Pro Tem Froehlich. Motion approved by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

Motion made by Deputy Mayor Pro Tem Reyes to negotiate and sign contracts and such other documents that are reasonable and necessary to sell to the Farmers Branch Local Government Corporation for the purpose of resale to HomeBound Construction Services, LLC and/or assigns the property described as Lot 17, Block E Farmersdell Addition, First Installment, City of Farmers Branch, Texas more commonly known as 12805 Wilmington, for a purchase and sales price of not less than \$110,000 with the resale of said property to be subject to a restriction agreement requiring construction of a single family residence of not less than 3000 square feet of air conditioned space with an assessed value of the property upon completion of construction, inclusive of both land and improvements, to be not less than \$500,000 and payment of a real estate commission to the buyer's agent of not more than 3% of the sale price. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

L. ADJOURNMENT

Mayor Pro Tem Froehlich made a motion to adjourn the meeting at 9:11 p.m. Motion seconded by Council Member Lynne. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

The meeting adjourned at 9:12 p.m.

Mayor

ATTEST:

City Secretary