



City of Farmers Branch City Council Minutes

Tuesday, November 6, 2018

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

Council Chambers

- Presiding:** 1 - Mayor Robert C. Dye
- Present:** 5 - Mayor Pro Tem John Norwood; Council Member Bronson Blackson; Council Member Terry Lynne; Deputy Mayor Pro Tem Mike Bomgardner, Council Member Reyes
- Staff:** - Charles Cox, City Manager; John Land, Deputy City Manager; Amy Piukana, City Secretary; Ben Williamson, Assistant to the City Manager, Hugh Pender, Building Official; David Hale, Police Chief; Steve Parker, Fire Chief; Shane Davis, Director of Sustainability and Environmental Services; Sherrelle Evans-Jones Director of Finance; Brian Beasley, Director of Human Resources; Charles Cancellare, Parks and Recreation Superintendent; Allison Cook, Director of Economic Development

A. CALL TO ORDER – STUDY SESSION (3 P.M.)

Mayor Dye opened the Town Hall meeting at 3 p.m.

A.1 18-176 Discuss regular City Council meeting agenda items.

The City Council received clarification on Agenda Items I.4 (Ordinance No. 3543, No Parking), I.5 (Resolution No. 2018-114, Monument Signs), I.7 (Resolution No. 2018-117 John F. Burke), J.3 (Ordinance No. 3542, TD Industries) J.4 (Ordinance No. 3516, Henry S. Miller), J.6 (Amesbury), J.7 (Final Plat Windermere), and K.3 (Resolution No. 2018-107, LED Lighting).

City Administration provided clarification on these items.

A.2 18-198 Presentation and discussion related to residential waste collection.

Director of Sustainability and Public Health Shane Davis briefed City Council regarding residential waste collection.

The City Council discussed communication efforts, dividing lines for trash collection routes, efficiency, carts and screening requirements.

Council Member Reyes suggested looking into consolidating trash collection from Wicker and Greenhurst through Valley View to aid in visual aesthetic impacts.

Mr. Davis explained the route map has been set for many years and our fees are based on house counts.

Mayor Pro Tem Norwood suggested reviewing map routes to see if updates are necessary for efficiency.

The City Council directed staff to review collection route maps, a bin opt in program with screening requirements, and to move forward with the brush diversion and once a month bulk plan.

A.3 18-212 Receive an update from Freese and Nichols regarding the recent dam failures along Farmers Branch Creek.

Mr. David Rivera with Freese and Nichols provided City Council with an update on the Farmers Branch Creek Emergency Risk Assessment. He summarized stating immediate recommendations are to: 1) remove failed dams, 2) install grade control structures to arrest headcut migrations, 3) install erosion control on threatened banks to protect homes and property. Mr. reviewed a conceptual cost estimate to provide stream stabilization would be \$146,840.

The City Council discussed preventative measures, the use of concrete to fill portions of the dam, erosion control, original dam installation, ownership, private property access to make dam repairs, flooding and funding.

City Manager Charles Cox provided a presentation noting a policy is necessary.

Mayor Pro Tem Norwood asked to review the Resolution City of Richardson has in place.

Mr. Cox asked the Council for direction to move forward on immediate needs and allow the City Council more time to review and consider a policy with longer term decisions.

Mayor Dye asked the City Council if they wish to authorize the City Manager to move forward with immediate repairs.

The City Council agreed to move forward with immediate priority items to stabilize the dam suggested discussing a policy at a future meeting.

Mayor Dye recessed for a break at 5:12 p.m.

The City Council reconvened at 5:15 p.m.

A.4 18-174 Receive a presentation from Council Member Blackson regarding future Library options.

Council Member Blackson provided a PowerPoint presentation on the future of the Manske Library.

Mayor Dye recessed for a break at 5:35 p.m., noting Mayor Pro Tem Norwood would preside over the rest of the meeting so he could attend the National League of City Conference.

(Due to time constraints Agenda item A.4, A.5 and A.6 were discussed after the Regular Meeting.)

Council Member Lynne discussed open space, square footage, costs, resident support,

consultant, infrastructure and timing.

Council Member Reyes discussed positive feedback from residents, holding public meetings with residents, and her support to move forward with a May Bond Election for a new Library.

Mr. Cox explained the Library Board would market the new Library and be active in public outreach.

Mayor Pro Tem Norwood and Deputy Mayor Pro Tem Bomgardner agreed to move forward, noting it is more cost effective to construct a new Library then to renovate the existing Library.

The City Council agreed to move forward with a plan for a new Library and not invest in renovating the existing Library.

Assistant to the City Manager Ben Williamson stated the Library Board will meet this Thursday and be prepared to brief City Council at the Nov 27, 2018 City Council meeting.

A.5 18-192 Presentation and discussion related to residential bulk, area and siting standards.

Director of Planning and Development Tina Firgens briefed City Council regarding this item.

After discussion, the City Council agreed on lot sizes less than 10,000 sq. ft. to allow 35 ft. building height and if the lot size is greater than 10,000 sq. ft. a maximum building height of 40 ft would be allowed with a 25 ft. front setback and allow 5ft. and 10 ft. side yards.

A.6 18-177 Discuss agenda items for future City Council meetings.

Council Member Reyes – requested an update on revitalization projects north of Valley View in regards to investments.

Council Member Lynne – requested a Business Retention update, Economic Development and Demolition Rebuild update to include property value prior and after remodel.

Council Member Blackson – requested discussion regarding City branding with shirts hats, license plates and other Farmers Branch logo attire.

Mayor Pro Tem Norwood – asked for an update on the TXDOT property.

B. EXECUTIVE SESSION

B.1 18-173 Council may convene into a closed executive session pursuant to Section 551.072 of the Texas Government Code:

- *Discuss the purchase, exchange, lease or sale of real property located north of 635, east of I35, west of Webb Chapel, and south of Valwood Parkway.*

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

Mayor Pro Tem Norwood called the meeting to order at 6:03 p.m.

D. INVOCATION & PLEDGE OF ALLEGIANCE

Deputy Mayor Pro Tem Bomgardner provided the invocation and led the pledge of allegiance and pledge to the Texas flag.

E. CEREMONIAL ITEMS**E.1 TMP-2959 Presentation from the State Fire Marshal's Office and the Insurance Services Office (ISO) Recognizing Farmers Branch's Upgrade to a Class 1 Public Protection Classification.**

Mr. Mike McCormick with the State Fire Marshall's Office with Texas Department of Insurance spoke congratulating the City for receiving the ISO Class 1 designation.

Mayor Pro Tem Norwood thanked Fire Chief Steve Parker, the Public Works Department and Information Services Department for working hard to make this happen.

F. REPORT ON STUDY SESSION ITEMS

Council Member Blackson provided a report on Study Session items.

G. MAYOR AND CITY MANAGER'S REPORT ON ITEMS OF COMMUNITY INTEREST

City Manager Charles Cox provided the following report:

- The Farmers Branch community will once again come together on Friday, November 9 for our annual **Veterans Day Celebration**, which gets underway at 10:30 a.m. at The Branch Connection. Patriotic ceremonies will be augmented by a return engagement of the Victory Belles song and dance troupe, direct from the World War II Museum in New Orleans. Early arrival is recommended as the room traditionally fills up fast. Call 972.919.8740 for more information.
- Also, as part of a very special Veterans Day weekend in Farmers Branch, the good folks from **Texas Mission of Mercy** and the **Texas Dental Association Smiles Foundation** are sponsoring a Mobile Dental Clinic, designed for Veterans without dental insurance coverage, at the Farmers Branch Community Recreation Center Friday and Saturday. They hope to serve 2,000 veterans over the two-day event. Any veteran without dental coverage but in need of dental service should visit tdasf.org or come by the Rec Center Friday or Saturday. Service will be first-come, first-served until they reach capacity.
- Residents can dispose of old paint, pesticides and other chemicals during a Dallas County **Household Hazardous Waste** collection event, planned for Saturday, November 10 at the City's Service Center, 13333 Senlac Drive, from 9 a.m. until 3 p.m. You can find a list of chemicals that will be accepted in this week's edition of BRANCH BULLETIN or at farmersbranchtx.gov/hhw.
- Everyone is invited to have **Coffee with a Cop** Saturday morning, November 10, from 9 until 11 at the McDonalds at Josey and Valley View.
- Anyone that has passed by the StarCenter in the past week has noticed the groundwork being prepared for the City's outdoor ice skating rink to be presented as a centerpiece of the all-new **Christmas in the Branch**, beginning December 1. By the way, don't worry, there will still be plenty of lights to look at. Find out more about all of the new, personal and interactive experiences this year at christmasinthebranch.com.
- Finally, please note that most City of Farmers Branch offices and facilities will be closed both Thursday and Friday, November 22 & 23 for the **Thanksgiving holidays**. Some facilities may be open limited hours on Friday. Call the facility in question for more information. In addition, there will be no garbage or recycling pickup on Thursday but regular routes will run on Friday.
- You can sign up for that eNews at farmersbranchtx.gov to have current City news and information delivered directly to your eMail box **AND** from everyone at the City, please have a **Happy and Safe Thanksgiving!**

Council Member Lynne recognized City Staff (Parks, Police, Fire) for working collaboratively and holding successful events.

H. CITIZEN COMMENTS

The following citizens spoke under Citizen Comments:

- Artie Palmer spoke regarding fee amounts at the Branch Connection.
- Mary Kelley spoke regarding school renaming.
- Jennifer Maddox spoke regarding support of moving the Library.
- David Frank spoke in favor of the Library relocation.

I. CONSENT AGENDA

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| I.1 | 18-175 | Consider approving minutes of the Special Called Town Hall meeting held on October 10, 2018 and the regular City Council meeting held on October 16, 2018; and take appropriate action. |
| I.2 | 18-197 | Consider excusing the absence of Council Member Ana Reyes from the October 10, 2018 Special Called Town Hall meeting; and take appropriate action. |
| I.3 | 18-199 | Consider excusing the absence of Deputy Mayor Pro Tem Bomgardner from the October 16, 2018 City Council meeting; and take appropriate action. |
| I.4 | ORD-3543 | Consider adopting Ordinance No. 3543 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 Simonton Road and Enterprise Drive; and take appropriate action. |
| I.5 | R2018-114 | Consider approving Resolution No. 2018-114 authorizing the City Manager to enter into an agreement with the State of Texas for the placement of an entryway monument sign; and take appropriate action. |
| I.6 | R2018-116 | Consider adopting Resolution No. 2018-116 authorizing the City Manager to approve the purchase of four replacement patrol vehicles for Police Department in the total amount of \$133,520 from Reliable Chevrolet through the Tarrant County Contract; and take appropriate action. |
| I.7 | R2018-117 | Consider approving Resolution No. 2018-117 approving an agreement with Dunaway Associates, L.P. for Professional Services associated with the John F. Burke Nature Preserve Park Improvements; and take appropriate action. |
| I.8 | R2018-120 | Consider approving Resolution No. 2018-120 reappointing Dr. Paul Lonquist and appointing Cristal Retana to serve as the City of Farmers Branch appointees to the Metrocrest Hospital Authority Board of Directors; and take appropriate action. |

Motion made by Council Member Lynne to approve Consent Items I.1 through I.8. Motion

seconded by Council Member Reyes. Motion prevailed by the following vote:

Ayes: 5 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne, Council Member Reyes

J. PUBLIC HEARINGS

- J.1 ORD-3540 Conduct a public hearing and consider adopting Ordinance No. 3540 approving a request to amend the Comprehensive Zoning Ordinance including amending Article 2 Zoning District and Uses, Article 4. Site Development Standards and Article 7. Definitions as it relates to allowing vehicle dispatch and storage uses and establishing related development standards; and take appropriate action.**

Director of Planning and Zoning Tina Firgens briefed City Council regarding this item.

Council Member Reyes discussed the SUP process and whether to prohibit specific uses.

Council Member Blackson spoke regarding his opposition of a zoning change for this type of use and discussed the possibility of allowing this as a temporary use.

Deputy Mayor Pro Tem Bomgardner discussed the grandfather clause, business approach and agreed with Council Member Blackson in opposition to a zoning change.

Council Member Lynne discussed uses, dispatching of vehicles, storage, minor maintenance use, future business plan and noted once a SUP is approved it is difficult to remove.

Mr. Cox stated he consulted with the City Attorney and since this is an 11 month operation, of a non-conforming use, he would be willing to hold off on Code Enforcement for eleven months to allow the business time to relocate.

Mayor Pro Tem Norwood discussed the SUP process noting City Council has authority to review prior to approval.

Mayor Pro Tem Norwood stated this is a public hearing and asked if anyone wished to speak on this item.

There being no one to speak, a motion was made by Council Member Blackson to close the Public Hearing and deny Ordinance No. 3540. Motion seconded by Council Member Lynne. Motion prevailed by the following vote:

Ayes: 5 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne, Council Member Reyes

Mayor Pro Tem Norwood skipped to Agenda Item J.4.

- J.4 ORD-3516 Conduct a public hearing and consider adopting Ordinance No. 3516 for a zoning change from One-Family Residence District-6 (R-6) to Planned Development District No. 102 (PD-102), including but not limited to allowing one-family detached residences and municipally**

owned facilities, and establishing development standards for an approximate 3.4-acre site located at the southwest corner of Webb Chapel Road and Golfing green Drive; and take appropriate action. (Continued Public Hearing from September 25, 2018 City Council meeting.)

A motion was made by Council Member Lynne to table Ordinance No. 3516, indefinitely. Motion seconded by Council Member Reyes. Motion prevailed by the following vote:

Ayes: 5 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne, Council Member Reyes

Mayor Pro Tem Norwood skipped to Agenda Item J.2

- J.2 ORD-3541 Conduct a public hearing and consider adopting Ordinance No. 3541 approving a request for a Specific Use Permit to allow commercial amusement indoor use (gymnastics facility) located at 4141 LBJ Freeway; and take appropriate action.**

Director of Planning and Development Tina Firgens and the applicant Ms. Ray Vogel briefed City Council regarding this item.

After discussion, Mayor Pro Tem Norwood opened the public hearing.

There were no citizens that wished to speak.

A motion was made by Council Member Lynne to close the public hearing and approve Ordinance No. 3541. Motion seconded by Council Member Blackson. Motion prevailed by the following vote:

Ayes: 5 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne, Council Member Reyes

- J.3 ORD-3542 Conduct a Public Hearing and consider adopting Ordinance No. 3542 to authorize participation in the Texas Enterprise Zone Act, Chapter 2303 Texas Government Code, providing Tax Incentives, designating a Liaison for communication , and nominating TD Industries to the office of the Governor Economic Development & Tourism through the Economic Development Banks as an enterprise project; and take appropriate action.**

Economic Development Director Allison Cook briefed the City Council regarding this item. Ms. Melissa Munoz and Evelyn Miller CFO with TD Industries provided a brief overview of the history of TD Industries.

Mayor Pro Tem Norwood opened the public hearing. There were no citizens present that wished to speak.

A motion was made by Council Member Reyes to close the public hearing and approve Ordinance No. 3542. Motion seconded by Deputy Mayor Pro Tem Bomgardner. Motion prevailed by the following vote:

Ayes: 5 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne, Council Member Reyes

J.5 R2018-110 Conduct a public hearing and consider Resolution No. 2018-110 approving a request for a Detailed Site Plan with special exceptions for proposed office/warehouse buildings located at 1903 Diplomat Drive; and take appropriate action.

Director of Planning and Development Tina Firgens briefed City Council regarding this item.

After discussion, Mayor Pro Tem Norwood opened the public hearing. There were no citizens that wished to speak.

A motion was made by Deputy Mayor Pro Tem Bomgardner to close the public hearing and approve Ordinance No. 3516. Motion seconded by Council Member Lynne. Motion prevailed by the following vote:

Ayes: 5 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne, Council Member Reyes

J.6 18-PL-11 Conduct a public hearing and consider a request from CADG Mercer Crossing Holdings, LLC for final plat approval of Amesbury Addition, a replat of part of Block A of Westside Addition Section 1 and all of Lot 1, Block A of Trinity West Addition; and take appropriate action.

Director of Planning and Development Tina Firgens briefed City Council regarding this item.

Mayor Pro Tem Norwood opened the public hearing. There were no citizens that wished to speak.

A motion was made by Council Member Lynne to close the public hearing and approve 18-PL-11. Motion seconded by Deputy Mayor Pro Tem Bomgardner. Motion prevailed by the following vote:

Ayes: 5 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne, Council Member Reyes

J.7 18-PL-12 Conduct a public hearing and consider a request from CADG Mercer Crossings Holdings, LLC and Transcontinental Realty Investors, Inc for final plat approval of Windermere Addition, a replat of part of Block B of Westside Addition Section 1; and take appropriate action.

Director of Planning and Development Tina Firgens briefed City Council regarding this item.

Mayor Pro Tem Norwood opened the public hearing. There were no citizens present that wished to speak.

A motion was made by Council Member Lynne to close the public hearing and approve 18-PL-12. Motion seconded by Council Member Reyes. Motion prevailed by the following

vote:

Ayes: 5 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne, Council Member Reyes

J.8 ORD-3536 Conduct a public hearing and consider adopting Ordinance No. 3536 relative to the Farmers Branch Youth Programs Standards of Care in compliance with the Texas Human Resource Code, Chapter 42.041(b)(14); and take appropriate action.

Parks and Recreation Manager Maria Minter briefed City Council regarding this item.

Mayor Pro Tem Norwood opened the public hearing.

There were not citizens present that wished to speak.

A motion was made by Deputy Mayor Pro Tem Bomgardner to close the public hearing and approve Ordinance No. 3536. Motion seconded by Council Member Blackson. Motion approved by the following vote:

Ayes: 5 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne, Council Member Reyes

K. REGULAR AGENDA ITEMS

K.1 R2018-119 Consider approving Resolution No. 2018-119 authorizing the execution of a Residential Demolition/Rebuild Program Incentive Agreement for the owner of the property located at 12815 Holbrook; and take appropriate action.

Director of Economic Development Allison Cook briefed City Council regarding this item.

A motion was made by Deputy Mayor Pro Tem Bomgardner to approve Ordinance No. 3536. Motion seconded by Council Member Blackson. Motion prevailed by the following vote:

Ayes: 5 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne, Council Member Reyes

K.2 R2018-109 Consider approving Resolution No. 2018-109 authorizing the execution of a Residential Demolition Rebuild Program Incentive Agreement for the owner of the property located at 3016 Selma Lane; and take appropriate action.

Director of Economic Development Allison Cook briefed City Council regarding this item. A Motion was made by Deputy Mayor Pro Tem Bomgardner to approve Resolution No. 2018-109. Motion seconded by Council Member Reyes. Motion prevailed by the following vote:

Ayes: 5 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne, Council Member Reyes

K.3 R2018-107 Consider approving Resolution No. 2018-107 authorizing the purchase and installation of Athletic Field LED Lighting purchased through

Groves Electrical Services, Inc via the Buy Board Purchasing Cooperative agreement; and take appropriate action.

Parks and Recreation Superintendent Charles Cancellare briefed City Council regarding this item.

After discussion, a motion was made by Deputy Mayor Pro Tem Bomgardner to approve Resolution No. 2018-109. Motion seconded by Council Member Reyes. Motion prevailed by the following vote:

Ayes: 5 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne, Council Member Reyes

Mayor Pro Tem Norwood recessed from Regular Session at 8:49 p.m. and reconvened upstairs into Study Session to discuss Agenda Item A.2. (See Agenda item A.2 above)

After discussion of Study Session items, Mayor Pro Tem Norwood recessed into closed executive session at 10:43 p.m.

L. TAKE ANY ACTION NECESSARY AS A RESULT OF THE CLOSED EXECUTIVE SESSION.

No action.

M. ADJOURNMENT

Council Member Blackson made a motion to adjourn the meeting at 11:16 p.m. Motion seconded by Council Member Lynne. Motion prevailed by the following vote:

Ayes: 5 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne, Council Member Reyes

Signed: _____
Mayor

Attest: _____
City Secretary