



## City of Farmers Branch City Council Minutes

Tuesday, November 27, 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; Braden Metcalf, City Attorney; 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 meeting at 3 p.m.

#### A.1 18-217 Discuss regular City Council meeting agenda items.

Council Member Lynne asked for clarification on Agenda Item I.4, Resolution No. 2018-126 (Stop-Loss Insurance) and if the price affects the employee's premium.

Director of Human Resources Brian Beasley explained stop-loss insurance covers against catastrophic losses. He noted the proposed Resolution authorizes the City Manager to purchase Medical Stop-Loss Insurance with QBE in an amount not to exceed \$355,000. He further stated this would not affect employee premiums.

Council Member Lynne asked for clarification on Agenda Item I.5, Resolution No. 2018-122 in regards to the masonry requirement not meeting standards and parking visibility from the street.

Director of Planning and Development Tina Firgens replied stating the masonry requirements has been reduced to 65%, noting the City Council approved this year in the PD-95 Zoning District. She further stated the parking garage would be visible on the south side.

City Manager Charles Cox provided an update on Agenda Item K.3, (Repaint of water tower), noting City staff reached out to vendors and provided two design examples for the City Council's review.

Council Member Lynne and Council Member Blackson recommended the green color and adding the City of Farmers Branch text to the top of the water tower for overhead marketing and increasing the font size.

After discussion, the City Council agreed to amend this item and authorize a not to exceed amount of \$325,000 to move forward with green paint color, larger text with color options and adding the City of Farmers Branch text to the top of the new tower design.

**A.2 18-226 Presentation of the future of the Manske Library.**

Assistant to City Manager Ben Williamson provided an update regarding the future of the Manske Library, noting the City held a successful Visioning meeting on November 26, 2018 to allow citizen input. He reviewed a proposed Bond timeline and planning procedures. He introduced Library Board Chair Bonnie Potraza.

Ms. Potraza stated the Library Board is committed to moving forward with relocation of the Library across the street. She stated the Board has agreed to attend City events to help educate residents. She further stated a Library Board Subcommittee, Friends group, website and t shirts have been created to discuss a bond initiative for a new Library location. She stated approximately 40 citizens have offered to volunteer and assist with bond education and promotion. She stated the target date is May 2019.

Mayor Pro Tem Norwood suggested holding a bond election in November instead of May, noting this will allow a subcommittee to review, public input, and preliminary design to evaluate necessary funding.

After discussion, Mayor Dye suggested targeting a May 2019 Bond election with the option to move it to the November 2019 election date, if necessary.

**A.3 18-234 Presentation and discussion regarding development of a Dog Park.**

Assistant Director of Parks and Recreation Michael Mashburn briefed City Council regarding the development of a Dog Park. He reviewed the background and has been working with a Parks and Recreation Board Task Force on design of a Dog Park. He explained the proposed location is at the Barney Wood Athletic Complex football field adjacent to the Recreation Center. He explained the tee ball field was converted into a Skate Park when the Aquatics Center was constructed. He explained the current fiscal year budget includes \$236,000 for this project, noting alternate source funding (grants and sponsorships) are being researched.

The City Council discussed the possibility of charging fees to use the park, reviewed similar dog park features from surrounding cities, key fob access and capacity.

Council Member Blackson suggested adding more trees to the middle to allow for shade and adding a pathway for handicap accessibility.

Council Member Lynne suggested branding the park as the Farmers Branch Bark Park.

The City Council discussed having a Barney Wood memorial and naming of the park.

Mayor Pro Tem Norwood suggested Staff reach out to the Barney Wood family to see if they prefer the name remain on the football field or at the new dog park. He further stated he does not agree using the Farmers Branch branding into the park name.

After discussion, City Council agreed to move forward with a dog park.

Mr. Harting stated he would task the Parks and Recreation Board to review and research naming options for the Dog Park and provide updates at a future meeting.

**A.4 18-243 Discuss current city smoking regulations and possible amendments.**

Sustainability Manager Katy Evans briefed City Council regarding public health implications of smoking, e-cigarettes and vaping. She reviewed statistics and current regulations in Farmers Branch, noting the only cities that have policy on e-cigarettes and vaping are Southlake and Frisco. She stated smoking is prohibited indoors of all City buildings, and prohibited in retail establishments except if the facility has less than 500 square feet of public showroom, and if there is a designated smoking area, and at a cigar bar. She further stated smoking is prohibited inside theaters, museums, City owned athletic complex, noting office buildings not open to the public are not required to prohibit smoking. She reviewed the City of Dallas Smoking regulations noting it is prohibited in parks (excluding revenue generating parks such as Zoo and Fair Park), in indoor areas of the City, within 15 feet of any entrance to the City, and in any areas designated as nonsmoking. She further stated the City of Dallas does not regulate E-Cigarettes.

Council Member Blackson stated he requested this item be added to the agenda in an effort to discourage others from breathing second hand smoke. He noted recently he experienced this at the Farmers Market.

The City Council discussed special exceptions at City events, Parks Director authority to deny event smoking, Addison Smoking Ordinance, and Police enforcement of non-smoking in public.

Mr. Cox stated City Administration would prepare a draft Ordinance and allow City Council to review.

**A.5 TMP-2987 Receive the Fiscal Year 2017-18 Fourth Quarter Financial Report.**

Director of Finance Sherrelle Evans-Jones provided a Fiscal Year 17-18 Fourth Quarter Financial Report.

**A.6 18-249 Discuss Farmers Branch Creek emergency stabilization efforts.**

Director of Public Works Marc Bentley briefed City Council regarding this item.

Council Member Reyes stated she received correspondence about Rawhide Creek and asked City Administration to be sensitive to the ecology along the creek.

The City Council discussed dams, erosion, material haul off, homeowner's affected and shared program options.

Mr. Cox stated more creek discussion will be held in February at the Strategic Planning Session to determine a policy.

The City Council recessed for a break at 5:32 p.m. and recessed into closed executive session at 5:38 p.m.

Mayor Dye recessed from executive session at 5:58 p.m.

*(Re-discussed A.6, at 8:25 p.m.)*

Deputy Mayor Pro Tem Bomgardner suggested utilizing Freese and Nichols to provide a solution. He further stated immediate attention is necessary.

Council Member Lynne suggested setting limits and allow the City Council to review perimeters.

Mr. Cox explained the current deadline to apply for a Small Business Administration loan is December 17, 2018. He further stated City Administration would draft a couple of program options and allow City Council to review.

*Mayor Dye Skipped to Agenda Item A.8. (Agenda Item A.7 was discussed after the regular meeting.)*

**A.7 18-228 Discuss city food service regulations and possible amendments including, but not limited to, regulating single use food ware and publication of inspection scores**

Director of Sustainability and Public Health Shane Davis briefed City Council regarding this item. He reviewed food establishments and inspection processes.

The City Council discussed food rating violations, correction processes, score postings and environmental impacts from restaurant containers.

**A.8 18-218 Discuss agenda items for future City Council meetings.**

Council Member Reyes asked for a memorandum update on Cooks Creek in regards to penalties for creek runoff.

Council Member Lynne asked for an Economic Development update.

**B. EXECUTIVE SESSION**

**B.1 18-240 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 Valley View.***

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

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

**D. INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Dye provided the Invocation, Pledge of Allegiance and led the Pledge to the Texas Flag.

**E. CEREMONIAL ITEMS**

**E.1 18-241 Presentation of awards for the 2018 Fire Prevention Poster Contest winners.**

Fire Chief Steve Parker and Fire Inspector Wendi Kimpton announced the following 2018 Fire Prevention Poster Contest winners:

Third Place Winners - Chapel Hill Preparatory School: Julian Loera (Art Teacher: Abby Farmer); Dave Blair Elementary: Zarya Clemente (Art Teacher: Frances Powrie); Farmers Branch Elementary: Jezabel Rabadan (Art Teacher: Kathryn Weber); Janie Stark

Elementary: Betsy Holmes (Art Teacher: Taylor Rhodes); Mary Immaculate School: Siena Abila (Art Teacher: Cathy Carmack); McLaughlin-Strickland: Lily Barron (Art Teacher: Chris Lettko); Second Place Winners, Chapel Hill Preparatory School: Geovanna Morataya; Dave Blair Elementary: Naomi Z. Colon; Farmers Branch Elementary: Isaac Nemec; Janie Stark Elementary: Olivia Barnes; Mary Immaculate School: Becca Keeler; McLaughlin-Strickland Intermediate: Aubry Soto, First Place Winners; Chapel Hill Preparatory School: Olivia Harris; Dave Blair Elementary: Virginia DeCasas; Farmers Branch Elementary: Alexander Briones; Janie Stark Elementary: Chloe Hernandez; Mary Immaculate School: Alejandro Perez; McLaughlin-Strickland Intermediate: Junior Valladares. The best of show went to Chloe Hernandez from Janie Stark.

**E.2 18-239 Musical performance by the Four Hoarsemen.**

The Four Hoarsemen provided a musical performance.

**F. REPORT ON STUDY SESSION ITEMS**

Deputy Mayor Pro Tem Bomgardner provided a report on Study Session items.

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

- Final touches are being placed on the City's outdoor ice skating rink to be presented as a centerpiece of the all-new Christmas in the Branch, beginning December 1 as part of the all new Christmas Tree Lighting & Holiday Marketplace happening that evening from 4 to 8 p.m. The Tree Lighting will be happening in Liberty Plaza, directly behind the StarCenter while the Holiday Marketplace will be going on in The Grove and the Skating Under the Stars directly in front of the StarCenter. Find out more about all of the new, personal and interactive Christmas experiences this year at [christmasinthebranch.com](http://christmasinthebranch.com).
- Even after Saturday's festivities have subsided, Skating Under the Stars continues every night through January 6 (except for Christmas Eve, Christmas Day and New Year's Day). From December 1 through 20, Monday through Friday hours will be from 5 until 10 p.m. with noon to 10 p.m. on Saturdays and Sundays. From December 21 through January 6, hours will be from 12 noon to 10 p.m. seven days a week. Find out more at [christmasinthebranch.com](http://christmasinthebranch.com).
- There will be additional Holiday Marketplace events in The Grove @ Mustang Crossing on Saturdays, December 8 & 15, from 4 until 8 p.m. each day. Residents can shop for handmade and homemade items from more than 30 vendors or have refreshments from the concessionaries on hand. Musical entertainment will be provided by Vocal Magic, The One Band and performances by local schools and theater groups. Children's activities will include trackless train rides, bounce houses, balloon artists, crafts and visits with Santa & Mrs. Claus. Again, the address for more info is [christmasinthebranch.com](http://christmasinthebranch.com).
- Don't forget the Community Recreation Center will host their annual Pancakes & Pajamas party to welcome the season on Saturday, December 8 from 9 to 11 a.m. Visit [fbreccenter.com](http://fbreccenter.com) for more information.
- There is so much going on this season, so be sure to sign up for eNews at [farmersbranchtx.gov](http://farmersbranchtx.gov) to have current City news and information delivered directly to your eMail box.

**H. CITIZEN COMMENTS**

The following citizens wished to speak:

Resident Jose Perez spoke expressing interest in volunteering for the City on a Board and Commission, District 1 vacancy and the importance of representation, infrastructure, safety and community policing.

**I. CONSENT AGENDA**

- I.1 18-219** 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 R2018-123** Consider approving Resolution No. 2018-123 authorizing the City Manager to execute a Communications Facilities License Agreement between the City of Farmers Branch and T-Mobile West LLC; and take appropriate action.
- I.3 R2018-124** Consider approving Resolution No. 2018-124 awarding 2018-19 annual supply of small water meters in a unit price purchase to Zenner Performance Meters; and take appropriate action.
- I.4 R2018-126** Consider approving Resolution No. 2018-126 authorizing the City Manager to negotiate and execute a contract for medical stop-loss insurance coverage in an amount not to exceed \$375,000 for the 2019 plan year; and take appropriate action.
- I.5 R2018-122** Consider approving Resolution No. 2018-122 a request for a Detailed Site Plan for a proposed mixed-use development located at 14155 Dallas North Parkway; and take appropriate action.

Motion made by Council Member Blackson to approve Consent Items I.1 through I.5. 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 18-PL-15** Conduct a public hearing and a request from Jefferson Landmark, L.P., for final plat approval of Jefferson Landmark Addition, a replat of parts of Lot 1 and Lot 2, Block 1 of Anderson White Addition; and take appropriate action.

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

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

Council Member Blackson made a motion to close the Public Hearing and approve 18-PL-15. 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.2    ORD-3513    Conduct a public hearing and consider adopting Ordinance No. 3513 amending the Comprehensive Zoning Ordinance including: Article 3. Zoning District Dimensional Standards as it relates to measurement and exception standards, and one-family residence and two-family residence bulk, area, siting and dimensional standards; and Article 7. Definitions including modifying existing definitions and adding definitions; and take appropriate action.**

Director of Planning and Development Tina Firgens briefed City Council regarding this item. Ms. Firgens reviewed the background history on amendments to the Residential siting and dimensional standards.

After discussion, Mayor Dye opened the public hearing. There were no residents that wished to speak.

Motion made by Mayor Pro Tem Norwood to approve Ordinance No. 3513. 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

**K.    REGULAR AGENDA ITEMS**

- K.1    18-224    Receive an update on the Farmers Branch Power Switch II.**  
Assistant to the City Manager Ben Williamson briefed City Council regarding the Power Switch program. Mr. Williamson introduced Kelley Balch with IChoosr who provided City Council with an update.

Resident Bill Phelps, Frank Tolley, and Chief Parker spoke stating they received savings by utilizing the program.

- K.2    R2018-128    Consider approving Resolution No. 2018-128 authorizing the execution of a Residential Demolition/Rebuild Program Incentive Agreement for the owner of the property located at 2659 Leta Mae; and take appropriate action.**

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

Deputy Mayor Pro Tem Bomgardner made a motion to approve Resolution No. 2018-128. 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    R2018-093    Consider approving Resolution No. 2018-093 authorizing the City Manager to enter into a contract with J.R. Stelzer Company for the exterior repainting of the elevated water storage tank located at 13333 Davis Lane; and take appropriate action.**

Director of Public Works Marc Bentley briefed City Council regarding this item.

After discussion, a motion was made by Council Member Blackson to approve Resolution No. 2018-093, with the amendment to not exceed \$325,000. 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

The City Council recessed and reconvened back into study session at 7:32 p.m. to discuss Agenda Item A.7.

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

There was no action as a result of closed executive session.

**M. ADJOURNMENT**

Council Member Lynne made a motion to adjourn the meeting at 9:04 p.m. 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

The meeting adjourned at 9:04 p.m.

Signed: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Secretary