



# City of Farmers Branch

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

## Meeting Minutes

### City Council

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Tuesday, March 19, 2019

6:00 PM

Council Chambers

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#### **Study Session Meeting to be held at 3:00 p.m. in the Study Session Room with a Dinner Break at 5:15 p.m.**

- Absent:** 1 - Mayor Robert Dye
- Presiding:** 1 - Mayor Pro Tem Norwood
- Present:** 6 - Council Member Ana Reyes, Deputy Mayor Pro Tem Mike Bomgardner, Council Member Bronson Blackson and Council Member Terry Lynne
- Staff:** 16- Director of Economic Development Allison Cook, Director of Human Resources Brian Beasley, City Manager Charles Cox, Director of Library Denise Wallace, Building Official Hugh Pender, Deputy City Manager John Land, Director of Fleet & Facilities Kevin Muenchow, City Attorney Kevin Laughlin, Director of Public Works Marc Bentley, Director of Information Services Mark Samuels, City Attorney Peter G. Smith, Director of Sustainability & Health Shane Davis, Fire Chief Steve Parker, Director of Planning & Zoning AICP Tina M. Firgens, Director of Communications Tom Bryson and Police Chief David Hale

#### **A. CALL TO ORDER - STUDY SESSION (3 P.M.)**

Mayor Pro Tem Norwood called the Study Session meeting to order at 3 p.m.

##### **A.1 19-112 Discuss regular City Council meeting agenda items**

Council Member Lynne asked for clarification on Agenda Item I.3 in regards to the traffic survey, he asked if we are paying for the \$44,000 survey expense.

Director of Sustainability Shane Davis replied stating the funding will come from DART.

Council Member Blackson asked for clarification on I.2, in regards to the flashing light signal.

Director of Public Works Marc Bentley explained flashing lights in his opinion, work 50% of the time. He noted overhead lights are more effective at crosswalks but noted signal light crossing is best.

The City Council discussed crosswalk signage verses overhead flashing signage.

##### **A.2 19-140 Discussion regarding a proposed Ordinance amending Chapter 2, Article II for Boards and Commissions relating to composition, alternates, absences, training, and sunset review for certain Boards and Commissions**

City Secretary Amy Piukana briefed City Council regarding a proposed Ordinance to restructure boards and commissions to a seven 7 (regular) + 2 (alternate) structure.

Council Member Lynne recommended restructuring the Senior Advisory Board to a 10 regular + 2 alternate structure.

Council Member Blackson and Mayor Pro Tem Norwood suggested adjusting the sunset language to allow the boards to continue to serve until City Council takes action to dissolve.

The City Council discussed 60 verses 90 day training requirement, tracking District location of Boards and Commissions applicants, restructuring the Senior Advisory Board, and the Emeritus position designation.

After discussion, the Council agreed to move forward with a 90 day training requirement, amend the sunset provision to allow the board to exist and continue until City Council takes action to dissolve, and amend the Senior Advisory Board to a 10 regular + 2 alternates.

### **A.3 19-130**

#### **Discuss Historical Park “Barn” project and go forward plan**

Assistant Director of Parks and Recreation Mike Mashburn briefed City Council regarding this item.

Mr. Mashburn reviewed funding options noting the Project cost for Phase I is estimated at \$3 million, Phase II is unknown and noted funding sources are \$1 million through the Hotel Occupancy Tax reserve and \$2 million through the General Fund Reserve. He asked for Council direction on the timeline. He explained the next steps are to advertise a request for quote for architectural services, form a sub-committee, obtain accurate bid numbers and determine a timeline to proceed.

City Manager Charles Cox explained if Council desires, we can do an RFQ and price the architect separately.

City Council discussed a timeline, controlled storage, lighting, noise, and the possibility of having this as a bond election to allow voters to decide.

Historical Preservation and Restoration Board Member Carol Dingman and former board member Claire Connally spoke to the Council asking for support and providing examples of how the new proposed building could be used to convey the history of North Texas.

The City Council agreed to move forward with a request for proposal for an architect and allow the City Council to review the submittals.

Council Member Reyes asked that Staff look into grant funding to assist with the project.

**A.4 19-131 Discuss Creek Maintenance partnerships**

City Manager Charles Cox briefed City Council regarding this item. Mr. Cox reviewed guidelines of a new proposed Neighborhood Partnership Program. He reviewed the program description, program and project eligibility, application process, selection criteria, match requirements and funding restrictions.

City Council discussed funding, engineer review, erosion control, bag wall costs and liability.

After discussion, City Council agreed for staff to move forward with the proposed program, as presented.

**A.5 19-136 Receive an update on the Fire Station No. 2 construction budget**

Fire Chief Steve Parker provided an update regarding Fire Department Station No. 2. He reviewed the scope and material changes, base bid landscape and hardscape plan, Phase I and Phase II Landscape and Hardscape plan, and existing Fire Station No. 2 demolition and sale plan. He noted that the City Council will review a construction contract at the April 2, 2019 City Council meeting.

**A.6 19-137 Review 2020 Critical Business Outcomes**

The City Council requested this item be moved to the April 2, 2019 City Council meeting.

The City Council took a recess at 5:10 p.m. and reconvened at 5:14 p.m.

**A.7 19-113 Discuss agenda items for future City Council meetings**

Council Member Lynne asked for the following future agenda items: 1) spending limits and voter approvals, 2) apartment moratorium, 3) truth in taxation, 4) Planning & Zoning case turn a rounds, and 5) buy a brick program.

**B. EXECUTIVE SESSION**

The City Council recessed into closed executive session at 5:25 p.m. and adjourned from closed session at 5:41 p.m.

**B.1 19-139 Council may convene into a closed executive session pursuant to Section 551.087 of the Texas Government Code to deliberate regarding:  
*Discuss an economic development incentive agreement for Project Sticks; and Project Rooster.***

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

Mayor Pro Tem Norwood called the meeting to order at 5 p.m. noting he would preside over the meeting, due to Mayor Dye's absence.

**D. INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Blackson provided the invocation and led the Pledge of Allegiance and Pledge to the Texas Flag.

**E. CEREMONIAL ITEMS****E.1 19-135 Proclamation recognizing the month of March as Colon Cancer Awareness Month in Farmers Branch**

Mayor Pro Tem Norwood provided a proclamation to Mr. Ali with Colonoscopy Assist declaring the month of March as Colon Cancer Awareness month.

Deputy Mayor Pro Tem Bomgardner shared his personal story of the importance of Colon Cancer awareness.

**F. REPORT ON STUDY SESSION ITEMS**

Deputy Mayor Pro Tem Bomgardner provided an update on Study Session items.

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

Council Member Lynne recognized Yo Pop for 30 years in Farmers Branch.

**H. CITIZEN COMMENTS**

No citizens spoke under citizen comments.

**I. CONSENT AGENDA****I.1 19-114 Consider approving minutes from the March 19, 2019 City Council meeting; and take appropriate action**

- I.2 19 PL 01 Consider a request from Jefferson Mercer Crossing, L.P., for final plat approval of JPI Knightsbridge Addition, 15.15 acres located on the north side of Knightsbridge Road and approximately 1,200 feet east of Luna Road; and take appropriate action**
- I.3 R2019-32 Consider approving Resolution No. 2019-32 for a Professional Services Agreement with Kimley Horn and Associates, Inc. relating to the design of the Denton Drive Trail Connector Project, amending the budget accordingly; and take appropriate action**
- I.4 19-129 Consider excusing the absence of Deputy Mayor Pro Tem Bomgardner from the March 5, 2019 City Council meeting; and take appropriate action**

Consent items I.1 through I.4 were approved, as presented.

**Aye:** 5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

## **J. PUBLIC HEARINGS**

- J.1 ORD-3556 Conduct a public hearing and consider adopting Ordinance No. 3556 to rezone approximately 32.3 acres generally located at the northeast corner of Webb Chapel Road and IH-635/LBJ Freeway and extending northward generally along Medical Parkway North and Myra Lane, from Planned Development District No. 18 (PD-18) and R-6 (One-family Residential District-6) to Planned Development District No. 18 (PD-18), including amending the Planned Development District No. 18 (PD-18) standards to allow one-family detached dwelling units and independent senior living as additional permitted uses and establishing related development standards; and take appropriate action**

Senior Planner Jennifer Paz and Developer David Martin provided a presentation to the Council.

Council Member Reyes recommended not limiting to a one story structure.

Developer David Martin provided City Council with a presentation.

The City Council discussed single-family homes, buffers, tree preservation, one story structure, height limitations, brick color, senior living and drainage.

Mayor Pro Tem Norwood opened the public hearing.

Resident Norma Carlson spoke asking for clarification on zoning, apartment use, traffic concerns, lot size and square footage.

Resident Cheryl Howton 3657 Morning Star Circle, expressed concerns about drainage, wall extensions, noise, air pollution, timetable, setback, and traffic concerns.

Ms. Paz replied stating there is a 12 ft setback from property line noting the wall would not be extended. The Developer stated the timetable was an 18 month period.

**Motion made by Council Member Lynne to close the public hearing and adopt Ordinance No. 3556. Motion seconded by Deputy Mayor Pro Tem Bomgardner. Prior to voting, Council Member Lynne moved to amend his motion and adopt Ordinance No. 3556 with the stipulation to remove the one story restriction on single-family homes within Subdistrict C. Motion seconded by Council Member Reyes. The motion prevailed by the following vote:**

**Nay:** 1 - Council Member Blackson

**Aye:** 4 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner and Council Member Lynne

**J.2 ORD-3561 Conduct a public hearing and consider adopting Ordinance No. 3561 to rezone approximately 4.4 acres located at 4207 Simonton Road from Light Industrial (LI) to Planned Development No. 103 (PD-103) zoning district allowing for retail, commercial and multi-family residential uses and establishing related development standards; and take appropriate action**

Director of Planning Tina Firgens briefed City Council regarding this item. Ms. Firgens explained the applicant, HLR Architects on behalf of the Billingsley Company, is requesting to rezone approximately 4.4 acres located at 4207 Simonton Road, from Light Industrial (LI) to Planned Development No. 103 (PD-103). She noted the rezoning has been requested to redevelop the property and construct a four story multi-family residential development with the opportunity for future retail.

The applicant, Ms. Billingsly provided a brief presentation reviewing the site plan and landscape plan.

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

There were no citizens that wished to speak.

**Motion made by Council Member Lynne to close the public hearing and approve Ordinance No. 3561, as presented. Motion seconded by Council Member Blackson. Motion prevailed by the following vote:**

**Aye:** 5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

- J.3    ORD-3562        Conduct a public hearing and consider adopting Ordinance No. 3562 to rezone approximately 8.0 acres located at 4730 Simonton Road from Light Industrial (LI) to Planned Development No. 104 (PD-104) zoning district allowing for retail, commercial and multi-family residential uses and establishing related development standards; and take appropriate action**

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

Ms. Billingsly also provided a brief presentation showing elevations, site plan, and landscape plan.

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

**Motion made by Council Member Blackson to close the public hearing and approve Ordinance No. 3562. Motion seconded by Deputy Mayor Pro Tem Bomgardner. Motion prevailed by the following vote:**

**Aye:**    5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

- J.4    R2019-29        Conduct a public hearing and consider approving Resolution No. 2019-029 for a Detailed Site Plan for an office/warehouse building on a 2.55-acre lot located at 2020 Diplomat Drive, including Special Exceptions; and take appropriate action**

Senior Planner Jennifer Paz briefed City Council regarding this item.

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

**Motion made by Council Member Reyes to close the public hearing and approve Resolution No. 2019-29. Motion seconded by Council Member Blackson. Motion prevailed by the following vote:**

**Aye:**        5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

**K. REGULAR AGENDA ITEMS****K.1 R2019-30      Consider approving Resolution No. 2019-030 approving a First Amendment to the Project Specific Agreement with Dallas County relative to the Brookhaven Trail Project; and take appropriate action**

Director of Sustainability and Environmental Services Shane Davis briefed City Council regarding this item. Mr. Davis explained in 2011 Farmers Branch signed a Master Agreement governing Transportation Major Capital Improvement Projects. He noted this agreement provides approval and framework for joint coordination, facilitation and funding of projects. Mr. Davis explained the City encumbers funds for the total cost of the project, and the County pays the project costs as invoiced by the City up to the agreed financial obligation. Mr. Davis explained the amendment to the agreement is a result of increased project costs. He summarized stating the total funding agreement is \$969,864.00 with the following breakdown:

City portion: \$484,932 less \$25,000 for in-house services

County portion: \$484,932

Additional funds needed for design and construction are the City's requirement

**Motion made by Council Member Blackson to approve Resolution No. 2019-30.**

**Motion seconded by Deputy Mayor Pro Tem Bomgardner. Motion prevailed by the following vote:**

**Aye:** 5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

**K.2 R2019-12      Consider approving Resolution No. 2019-12 authorizing the City Manager to enter into a contract with Ashlar Contracting Company for construction to widen the northbound Marsh Lane pedestrian bridge and install a flashing beacon crosswalk at the intersection of Valley View Lane at Rosser Road; and take appropriate action**

Director of Sustainability and Environmental Services Shane Davis briefed City Council regarding this item. Mr. Davis explained the project funds come through the City, County and TXDOT. Mr. Davis explained the project is for the widening of the northbound pedestrian bridge along the east side of Marsh Lane over Farmers Branch Creek and to install a flashing pedestrian crosswalk beacon at Valley View Lane at Rosser Road.

**Motion made by Deputy Mayor Pro Tem Bomgardner to approve Resolution No. 2019-12. Motion seconded by Council Member Reyes. Motion prevailed by the following vote:**

**Aye:** 5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

**K.3 R2019-31**

**Consider approving Resolution No. 2019-031 authorizing a contract to Aushill Construction LLC for the replacement of the water and sanitary sewer lines along Havenhurst Street between Bee Street and Dennis Lane, pursuant to the 2018 Dallas County Community Development Block Grant Program, and take appropriate action**

Director of Public Works Marc Bentley briefed City Council regarding this item. a contract with Aushill Construction LLC for the replacement of the water and sanitary sewer lines along Havenhurst Street between Bee Street and Dennis Lane in the amount of \$411,645. The C.I.P.Non-bond Fund is a reimbursement from Dallas County under the CDBG Program. The remaining \$181,433 will be funded from the Non-Bond Utility Fund.

**Motion made by Deputy Mayor Pro Tem Bomgardner to approve Resolution No. 2019-31, as presented. Motion seconded by Mayor Pro Tem Norwood. Motion prevailed by the following vote:**

**Aye:** 5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

**K.4 R2019-33**

**Consider approving Resolution No. 2019-33 authorizing the City Manager to execute Change Order #1 for the design-build contract for Camelot Landfill Scale House and Maintenance Facility project with Weaver Consultants Group, LLC and Anchor Construction, LLC for an amount not to exceed \$5,720,000, and amend the budget accordingly; and take appropriate action**

Director of Sustainability and Environmental Services Shane Davis briefed City Council regarding this item.

After discussion, Council Member Reyes made a motion to approve Resolution No. 2019-33. Motion seconded by Deputy Mayor Pro Tem Bomgardner. Motion prevailed by the following vote:

**Motion made by Council Member Reyes to approve Resolution No. 2019-33. Motion seconded by Deputy Mayor Pro Tem Bomgardner. Motion prevailed by the following vote:**

**Aye:** 5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

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

Motion made Council Member Lynne to authorize the City Manager to negotiate and execute and economic development agreement on behalf of the City of Farmers Branch with T2D Concepts, LLC/dba Roots Southern Table and/or its affiliates and assigns, to provide an incentive of \$100,000 cash grant for which repayment of the grant is reduced

by 20% for each full year the company complies with the terms of the agreement with 50% of the grant to be paid within thirty (30) days after the date the City issues certificate of occupancy provided the company leases approximately 2,000 square feet of space at 13090 Bee Street Suite D-1 for a period of at least five years, occupies the leased premises on or before March 1, 2020 and continuously operates a restaurant at the leased premises for a period of 5 years. Motion seconded by Mayor Pro Tem Norwood. Motion was approved unanimously.

Motion made by Council Member Blackson to authorize the City Manager to negotiate and execute an economic development agreement on behalf of the City of Farmers Branch, with Red Stix Mustang Station, LLC/dba Red Stix Asian Street Food and/or its affiliates and assigns, to provide an incentive of \$100,000 cash grant for which repayment of the grant is reduced by 20% for each full year the company complies with the terms of the agreement with 50% of the grant to be paid to company at lease execution and 50% of the grant to be paid within thirty (30) days after the date the City issues certificate of occupancy provided the company leases approximately 1,525 square feet of space at 13090 Bee Street Suite D-2 for a period of at least five years, occupies the leased premises on or before March 1, 2020 and continuously operates a restaurant at the leased premises for a period of five years. Motion seconded by Deputy Mayor Pro Tem Bomgardner. Motion approved unanimously.

## **M. ADJOURNMENT**

**A motion was made by Deputy Mayor Pro Tem Bomgardner to adjourn at 9:16 p.m. Motion seconded by Council Member Blackson. Motion prevailed by the following vote:**

**Aye:** 5 - Council Member Reyes, Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson and Council Member Lynne

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Mayor Robert C. Dye

ATTEST:

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City Secretary