



City of Farmers Branch City Council Minutes

Tuesday, January 8, 2019

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

Council Chambers

- Presiding:** 1 - Mayor Robert C. Dye
- Present:** 4 - Mayor Pro Tem John Norwood; Council Member Bronson Blackson; Council Member Terry Lynne; Deputy Mayor Pro Tem Mike Bomgardner
- Absent:** 1 - Council Member Reyes
- Staff:** - Charles Cox, City Manager; John Land, Deputy City Manager; Amy Piukana, City Secretary; Braden Metcalf, City Attorney; Hugh Pender, Building Official; David Hale, Police Chief; Steve Parker, Fire Chief; Katy Evans, Sustainability Manager; Louise Maranzana, Environmental Health Specialist; Shane Davis, Director of Sustainability and Environmental Services; Sherelle Evans-Jones Director of Finance; Brian Beasley, Director of Human Resources; Allison Cook, Director of Economic Development; Tina Firgens; Jennifer Paz; Senior Planner

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

Mayor Dye opened the meeting at 3 p.m.

A.1 19-01 Discuss regular City Council meeting agenda items

Council Member Lynne asked for clarification on Agenda Item I.2.

City Manager Charles Cox provided clarification explaining with the delay in the opening date of NTEC, the agreement has been amended to allow two years to be accrued.

Council Member Lynne asked for clarification on Agenda Item I.4 in regards to having a certified food manager on staff during the 24-hour operations and asked how the city would enforce.

Environmental Health Specialist Louise Maranzana explained the Waffle House is open 24 hours a day and the city requires a certified food manager on staff, and a certification must be filed with the city. She explained the city would enforce by conducting unannounced inspections.

Council Member Lynne asked for clarification on Agenda Item I.8, regarding public accessibility to ice chests.

Ms. Maranzana replied explaining having an open ice chest allows the public to handle the ice and could contaminate beverages. Therefore, the public access to ice chest restrictions has been added. She noted this does not affect the golfers who carry personalized ice chest coolers around the course.

Council Member Lynne asked if someone has a barbecue grill and offers food sampling to the public, if it would be allowed.

Ms. Maranzana replied explaining this would not be allowed.

Council Member Lynne asked for clarification on Agenda Item I.7, in regards to why the Town of Addison was not listed in comparison.

Environmental Services Manager Katy Evans replied explaining the Town of Addison's policy is similar to our current policy.

Council Member Blackson asked for clarification on Agenda Item I.4, in regards to finger nail polish restrictions.

Ms. Maranzana stated the State regulates these restrictions, and it includes prohibiting long fingernails with open food handling.

Council Member Blackson asked for clarification on Agenda Item I.6, if this is similar to the City of Dallas.

Director of Community Services Hugh Pender replied explaining this item updates the Ordinance to align with Dallas.

A.2 19-09 Receive an update on Economic Development activity within and surrounding the Station Area

Mayor Pro Tem Norwood suggested tabling this item to allow Council Member Reyes to be present at the meeting. The City Council agreed unanimously to table this item.

A.3 19-24 Receive a report on the proposed changes to the smoking ordinance

Environmental Services Manager Katy Evans briefed City Council regarding the current smoking regulations in Farmers Branch and proposed amendments, which include prohibiting smoking in all City Parks. She explained tobacco products includes e-cigarettes in the new definition.

The City Council discussed the possibility of expanding the nonsmoking restrictions to include businesses.

Council Member Lynne suggested reaching out to businesses and allowing them the opportunity to provide feedback.

Mr. Cox suggested moving forward with the Ordinance tonight, noting he would bring this item to a future City Council meeting once staff has had the opportunity to reach out to businesses and obtain feedback.

Mayor Pro Tem Norwood suggested targeting new restaurants and allowing (the four existing restaurants that currently allow smoking) to be grandfathered in.

A.4 19-13 Discuss the Farmers Branch 2019 Legislative Platform

City Manager Charles Cox briefed City Council regarding this item. He reviewed the

following three principles:

- Principle No.1 – Maintain municipal authority regarding local government revenue sources.
- Principle No.2 – Maintain municipal authority over municipal land use issues.
- Principle No.3 – Maintain municipal authority in determining how best to operate a city (local control).

The City Council discussed who advocates on behalf of cities, next steps, and impacts of legislation.

Mr. Cox suggested having a Legislative Day to provide feedback.

After discussion, the City Council agreed to travel and meet with State Representatives on behalf of the City of Farmers Branch.

A.5 18-265 Discuss agenda items for future City Council meetings

Council Member Blackson asked for an Oral history update on the thoughts and actions from prior Council Members that wish to participate, and an urban wildlife update on process and procedures with handling coyotes in Farmers Branch.

Council Member Lynne asked for a future Council item to discuss street cleaning operations and Christmas activities (future and past).

Mayor Dye asked for a review on the density and walkability along the Station Area.

Council Member Lynne noted he has been working with the City of Dallas on Homeless Solutions, explaining there is a new mobile app called OURDallas, to file complaints.

The City Council recessed at 4:23 p.m. for a break and reconvened into closed executive session at 4:36 p.m.

B. EXECUTIVE SESSION

B.1 19-22 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 Purple.*

The City Council recessed from closed executive session at 4:45 p.m.

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 19-02 Recognize Tom Bryson for 20 years of service to the City of Farmers Branch

Mayor Dye and City Manager Charles Cox recognized Tom Bryson for 20 years of service to the City of Farmers Branch.

- E.2 19-07 Recognize Ed Toliver for 30 years of service to the City of Farmers Branch**
Mayor Dye recognized Ed Toliver for 30 years of service to the City of Farmers Branch.

F. REPORTS ON STUDY SESSION ITEMS

Mayor Pro Tem John Norwood provided a report of Study Session items.

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

City Manager Charles Cox provided a City Manager's report to the community.

H. CITIZEN COMMENTS

None

I. CONSENT AGENDA

- I.1 18-263 Consider approving minutes of the regular City Council meeting held on December 11, 2018; and take appropriate action**
- I.2 R2019-04 Consider approving Resolution No. 2019-04 authorizing the first amendment to consolidated Public Safety Communications and Dispatch Operations with the City of Carrollton, Town of Addison, City of Coppell, North Texas Emergency Communications Center (NTECC); and take appropriate action**
- I.3 R2019-05 Consider approving Resolution No. 2019-05 appointing Natasha Singh, M.D. to the Metrocrest Hospital Authority Board; and take appropriate action**
- I.4 ORD-3549 Consider adopting Ordinance No. 3549 amending the Farmers Branch Food Code; and take appropriate action**
- I.5 19-14 Consider approving the Farmers Branch 2019 Legislative Platform; and take appropriate action**
- I.6 ORD-3550 Consider adopting Ordinance 3550 amending the heating provisions and adding air conditioning provision requirements to Multi-family inspection program; and take appropriate action**
- I.7 ORD-3551 Consider adopting Ordinance No. 3551, amending Code of Ordinances Chapter 34, "Environment," Article III "Air Pollution" by amending in its entirety Division 2 "Smoking"; providing a penalty; and take appropriate action**

Motion made by Council Member Blackson to approve Consent Items I.1 through I.7. Motion seconded by Deputy Mayor Pro Tem Bomgardner. Motion prevailed by the following vote:

Ayes: 4 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne

J. PUBLIC HEARING

- J.1 ORD-3548 Conduct a public hearing and consider adopting Ordinance No. 3548 approving a request to amend the Comprehensive Zoning Ordinance including amending: Article 3. Zoning District Dimensional Standards as it relates to measurement and exception standards, and one-family residence and two-family residence building area and dimensional standards; and take appropriate action**

Director of Planning Tina Firgens briefed City Council regarding this item noting this is a city-initiated zoning amendment to amend the Comprehensive Zoning Ordinance for maximum building heights.

Mayor Dye opened the public hearing. There was no one present that wished to speak.

Motion made by Mayor Pro Tem Norwood to approve Ordinance No. 3548, as presented. Motion seconded by Deputy Mayor Pro Tem Bomgardner. Motion prevailed by the following vote:

Ayes: 4 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne

K. REGULAR AGENDA ITEMS

- K.2 R2019-01 Consider approving Resolution No. 2019-01 approving a request for a detailed Site Plan for a fire station and open space improvements located at 13333 Alpha Link; and take appropriate action**

Senior Planner Jennifer Paz and Fire Chief Steve Park briefed City Council regarding this item. Ms. Paz explained the City of Farmers Branch is requesting approval of a Detailed Site Plan for the relocation of Fire Station No. 2 to the property located at 13333 Alpha Link.

The City Council discussed vehicle parking, fencing, and project costs.

Motion made by Council Member Lynne to approve Resolution No. 2019-01, as presented. Motion seconded by Deputy Mayor Pro Tem Bomgardner. Motion prevailed by the following vote:

Ayes: 4 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne

- K.3 R2019-02 Consider approving Resolution No. 2019-02 authorizing execution of a Residential Demolition Rebuild Program Incentive Agreement for the owner of the property located at 13807 Lillard Lane; and take appropriate action**

Director of Economic Development Allison Cook provided an overview to City Council. She explained the applicant Thomas Cusick Custom Homes is applying for the Demo Rebuild incentive for 13807 Lillard Lane which has an improved home valuation (excluding the land value) of \$63,530. The incentive for this improvement range (\$65,000 or less) includes a three (3) year rebate of municipal taxes based on the difference between the original home appraised value (excluding the land value), as determined by the Dallas County Appraisal District and a \$30,000 cash grant.

Motion made by Deputy Mayor Pro Tem Bomgardner to approve Resolution No. 2019-02, as presented. Motion seconded by Council Member Blackson. Motion prevailed by the following vote:

Ayes: 4 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne

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

Motion made Council Member Lynne to authorize the City Manager to negotiate and execute an Economic Development Agreement on behalf of the City of Farmers Branch with Scout & Cellar to provide five annual grants consisting of an annual grant equal to a percentage of the sales tax consummated in the City and received by the city for the sale of taxable items in the city by the company for year one 75%, year two 75%, year three 50% and years four and five 25% provided the company relocates its corporate office to Farmers Branch and leases in Farmers Branch, Texas for a period of five years and has a minimum of \$20 million dollars in the sale of taxable items in the city for each of the five years, and any amendments or instruments related thereto. Motion seconded by Mayor Pro Tem Norwood. Motion prevailed by the following vote:

Ayes: 4 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne

M. ADJOURNMENT

Mayor Dye made a motion to adjourn the meeting. Motion seconded by Council Member Blackson. Motion prevailed by the following vote:

Ayes: 4 - Mayor Pro Tem Norwood, Deputy Mayor Pro Tem Bomgardner, Council Member Blackson, Council Member Lynne

The meeting adjourned at 7:38 p.m.

Signed: _____

Mayor

Attest: _____

City Secretary