



City of Farmers Branch

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

Meeting Minutes

City Council

Tuesday, September 3, 2019

6:00 PM

Council Chambers

Study Session Meeting to be held at 4:00 p.m. in the Study Session Room with a Dinner Break at 5:15 p.m.

Mayor Dye called the meeting to order at 4:01 p.m.

Present: 3 - Mayor Pro Tem John Norwood, Council Member Mike Bomgardner and Council Member Cristal Retana

Staff: 18 - City Manager Charles Cox, Deputy City Manager John Land, Assistant City Manager Benjamin Williamson, City Secretary Amy Piukana, City Attorney Peter G. Smith, Police Chief David Hale, Fire Chief Steve Parker, Director of Human Resources Brian Beasley, Director of Public Works Marc Bentley, Director of Sustainability & Health Shane Davis, Director of Planning & Zoning Tina M. Firgens, Director of Economic Development Allison Cook, Director of Library Denise Wallace, Building Official Hugh Pender, Director of Information Services Mark Samuels, Director of Communications Tom Bryson and Director of Fleet & Facilities Kevin Muenchow

A. CALL TO ORDER - STUDY SESSION (4:00 P.M.)

A.1 19-356 Discuss regular City Council meeting agenda items

Council Member Lynne asked for clarification on Agenda Item, H.3 (Operating Fund Budget of North Dallas Water Supply) in regards to the \$2500 cost for an audit. He asked if this dollar amount could be reduced.

City Manager Charles Cox explained this is a joint entity audit review with the Town of Addison, he stated it has been more economical to utilize Grant Thornton. He explained in the past the City paid for annual audits and we have reduced audits to every other year to reduce costs.

Council Member Lynne asked for clarification on Agenda Item H.5 (Demolition Rebuild 2519 Greenhurst Drive) expressing concerns of the structure value being \$66 per foot noting this is below normal and he asked if the applicant is disputing the property value with DCAD in order to qualify for the City grant.

Director of Economic Development Allison Cook explained the applicant used the value at purchase and this qualified them for the \$20,000 grant.

Council Member Lynne asked for clarification on Agenda Item H.7 (Drainage Report). He asked what the estimated cost of completion would be.

Director of Public Works Marc Bentley stated we had a \$50,000 contract with Freese and Nichols, to complete Phase I he noted Phase II would be next.

Council Member Bomgardner asked for clarification on Agenda Item H.7, Section 86-604 asking if the language prohibits someone from building within the 100 year flood plain, erosion control such as bagwalls would this require City Staff review and (Section 86-609) drainage system requirements, he asked if any new construction adds additional flow, they must manage the water flow downstream.

Mr. Bentley explained the City reviews bagwall installations and developers will not be allowed to build within the 100 year flood plain, he noted developers will now have to build a detention pond if they construct on property that does not have pipe capacity to handle the water flow and runoff.

Mayor Pro Tem Norwood asked if this incorporates the NOAA standards.

Director of Public Works Marc Bentley replied stating yes and he may decide to switch to the TP 40 in the future since it sets higher standards.

Council Member Lynne asked for clarification on Agenda Item H.8, (Atmos gas rates). He asked for clarification on why the rate for residential and commercial are both going up.

Ms. Jan Rugg with Atmos Energy explained Atmos works with coalition attorneys to reach a fair price. She explained gas prices are low so this allows expenses from last year to be offset and allows investment of infrastructure.

Council Member Bomgardner asked why the burden increase is being passed on to residential customers. Ms. Jan explained the monies are divided between businesses and residential noting the commercial increase will be \$6.18 a month, residential customers will see a \$2.05 increase.

Council Member Bomgardner asked for an explanation on the volumetric charges.

Mr. Roach stated he could reach out to the attorneys to obtain clarification on the cost breakdown of commercial and residential costs.

Council Member Lynne suggested on Agenda Item, H.12 (Beltwood Building Lease), that Staff review other storage areas to save on costs.

Mr. Cox explained the rate has been the same over the past 15 years, and noted the facility is secure and climate controlled, meeting State guidelines for Records Storage.

Mayor Pro Tem Norwood suggested leveraging monies to approach Starbucks and Chipotle to negotiate with TXDOT an exit to Valley View off of I-35.

A.2 19-414**Discuss west bound IH-635 service road public safety jurisdictional coverage options**

Council Member Lynne explained currently the frontage off I-635 is controlled by City of Dallas and Farmers Branch does not typically respond to emergency calls. He explained due to safety and the location of senior housing being constructed near Dallas Medical Center, he recommends Farmers Branch provide services to this location as a proactive safety measure.

Police Chief David Hale explained Farmers Branch Police and Emergency Services could provide a better response and service; however, he would like to see the public safety data to review call volume. He stated this would allow him to better understand and review the call volume and discuss the impacts to the Police and Fire response teams.

Council Member Retana suggested obtaining more data to review public safety concerns and ensure Farmers Branch is able to assist.

Director of Public Works Marc Bentley explained the City also needs to identify who will manage the traffic signals.

The City Council discussed response times, annexation, timing, revenue share with Dallas, Senior housing, and speed limits.

Mayor Dye noted staff would obtain more data and allow Council to review at a future meeting.

A.3 19-379**Discuss the City Manager's Proposed Fiscal Year 2019-20 balanced budget**

Director of Finance Sherrelle Evans-Jones briefed City Council regarding this item. Ms. Evans-Jones reviewed an additional option, which she referred to as Option 1 Version 2.

Council Member Bomgardner reviewed a budget spreadsheet he created. Mayor Dye stated he proposes (.5999) almost a one cent decrease and noted this item will be discussed downstairs.

A.4 19-401**Discuss agenda items for future City Council meetings**

None

Mayor Dye recessed from Study Session at 5:31 p.m.

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

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

C. INVOCATION & PLEDGE OF ALLEGIANCE

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

D. CEREMONIAL ITEMS**D.1 19-407 Presentation of the State of Texas Alliance for Recycling (STAR) award to Keep Farmers Branch Beautiful and the City of Farmers Branch**

CWD Robert Medgovich provided Keep Farmers Branch Beautiful Pat Link, and City of Farmers Branch Pam Smith, and Sustainability Chair with the STAR Award

D.2 19-397 Presentation of a Proclamation recognizing September as Library Card Sign-up Month

Mayor Dye provided Director of Library Services Denise Wallace with a proclamation recognizing September as Library Card Sign Up Month.

D.3 19-420 Presentation of a proclamation to Mary Immaculate Catholic School for celebrating its 60th Jubilee this 2019-2020 school year

Mayor Dye provided a proclamation to Mary Immaculate Catholic School for celebrating its 60th Jubilee.

E. REPORT ON STUDY SESSION ITEMS

Mayor Dye provided a report on Study Session.

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

City Manager Charles Cox briefed City Council regarding community events.

G. CITIZEN COMMENTS

None

H. CONSENT AGENDA

- H.1 19-384** Consider approving the August 12, 2019, August 13-15, 2019 City Council Retreat and August 20, 2019 City Council meeting minute(s); and take appropriate action
- H.2 19-409** Consider excusing the absence of Council Member Cristal Retana from the August 20, 2019 City Council meeting; and take appropriate action
- H.3 R2019-112** Consider approving Resolution No. 2019-112 to approve the 2019-20 Operating Fund Budget of the North Dallas County Water Supply Corporation; and take appropriate action.
- H.4 R2019-113** Consider approving Resolution No. 2019-113 maintaining the City's investment policy; and take appropriate action
- H.5 R2019-114** Consider approving Resolution No. 2019-114 authorizing the execution of a Residential Demolition/Rebuild Program Incentive Agreement for the owner of the property located at 2519 Greenhurst Dr.; and take appropriate action
- H.6 R2019-94** Consider approving Resolution No. 2019-94 approving Economic Development Incentives pursuant to the Commercial Facade Grant Program for 4455 Alpha Road; and take appropriate action
- H.7 ORD-3595** Consider adopting Ordinance No. 3595 amending the City's Code of Ordinances, Chapter 86, Utilities, Article VII, Municipal Drainage Utility System, by adding Division 3, Stormwater Drainage Requirements adopting a storm drainage design manual and related regulations; and take appropriate action

- H.8 ORD-3596** Consider adopting Ordinance No. 3596 approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division that adopts new natural gas rates for the City of Farmers Branch; and take appropriate action.
- H.9 R2019-117** Consider approving Resolution No. 2019-117 nominating Michael Hurtt as a Candidate to be a member of the Board of Directors of the Dallas Central Appraisal District (DCAD); and take appropriate action
- H.10 ORD-3585** Consider adopting Ordinance No. 3585 amending Ordinance No. 1430, as amended, relative to the procedures for adopting Plats repealing Sections 6, amending Sections 7 & 8 and adding Sections 8A, 8B, and 8C to the Subdivision Ordinance; and take appropriate action
- H.11 R2019-121** Consider approving Resolution No. 2019-121 allowing a temporary carnival for the Mary Immaculate Catholic Church Annual Parish Fall Festival, located at 2800 Valwood Parkway, to be held on October 5, 2019; and take appropriate action
- H.12 R2019-122** Consider approving Resolution No. 2019-122 authorizing the execution of a modification of the existing commercial lease agreement for the warehouse storage facility at 4350 Beltwood; and take appropriate action
- H.13 R2019-124** Consider approving Resolution No. 2019-124 authorizing the sale of a 4920± square foot tract of land out of the Thomas Keenan Survey, Abstract No. 733, generally located at 12700 N. Stemmons, to the State of Texas; and take appropriate action.
- Council Member Blackson made a motion to approve Consent Items H.1 through H.13, as presented. Motion seconded by Council Member Bomgardner. Motion was approved unanimously.

I. PUBLIC HEARINGS

- I.1 19-377** Conduct a public hearing to consider adopting a maximum property tax rate of \$0.61 on September 17, 2019; and take appropriate action.
- Director of Finance Sherrelle Evans-Jones briefed City Council regarding the budget, noting this is the second required public hearing.

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

Vicki Harrison spoke expressing concerns on speaking time, budget information review time, high taxes, property value and impacts to Senior Citizens.

Mayor Dye noted we are looking at raising the senior exemption next year.

Kristen Bickham spoke expressing concerns with high taxation, purchasing power, inflation, stagnant wages and suggested reducing the tax rate.

Mike Harrison spoke suggesting a change in the culture of the City Council in regards to rate increases.

Sammy Bickham Jr. suggested looking into ways to be innovative, utilize our assets to create wealth for city,

Mr. Cox stated property values are increasing due to the activities on the west side. He noted the certified appraisal values are due to new growth. He stated this will increase tax revenue and property values.

Mayor Pro Tem Norwood spoke thanking residents in attendance. He suggested the City Council hold a special meeting to discuss the budget and all options.

Mayor Dye recommended meeting on September 11th to allow the City Council more time to review the budget items.

Mayor Dye motioned to close the public hearing. Motion seconded by Council Member Blackson. Motion approved unanimously.

Council Member Retana suggested all data presented be in the same format to minimize resident confusion.

I.2 ORD-3590 Conduct a public hearing and consider adopting Ordinance No. 3590 for a Specific Use Permit and associated Detailed Site Plan for an enclosed vehicle storage facility on a 3.9-acre lot located at 13342 Midway Road, at the southeast corner of Midway Road and McEwen Road; and take appropriate action.

Senior Planner Jennifer Paz briefed City Council regarding this item.

Architect Edwin Smith briefed City Council noting this project is a new concept and provided an update.

The City Council reviewed the history of the property, Phase II plans, finish outs and tenant design.

Mayor Pro Tem Norwood suggested a meeting with the Public Art Committee Chairman to review art concepts.

Mayor Dye opened the Public Hearing. There was no one present that wished to speak. Motion made by Mayor Dye to close the public hearing and approve, as presented. Motion seconded by Council Member Blackson. Motion was approved unanimously.

I.3 ORD-3591

Conduct a public hearing and consider adopting Ordinance No. 3591 to rezone approximately 8.02 acres located generally at the southeast corner of Mercer Parkway and Commerce Street, from Commerce District to Urban Center District within Planned Development District No. 88 and including special exceptions; and take appropriate action.

Senior Planner Jennifer Paz briefed City Council regarding this item.

Applicant Gene Babb spoke providing a PowerPoint presentation reviewing developments and projects they have completed.

The City Council discussed parking, square ft. rates (applicant stated \$1.62 per sq. ft.), leasing, and construction timing,

Mayor Pro Tem Norwood stated he does not support additional multifamily on the west side, but would consider a development on the east side.

Council Member Blackson stated he agrees with Mayor Pro Tem Norwood.

Mayor Dye opened the public hearing. Mr. Michael Beaty (Architect) spoke in support of the project.

Mayor Dye closed the Public Hearing and motioned to approve Ordinance No. 3591, as presented. Motion seconded by Deputy Mayor Pro Tem Lynne. Motion prevailed by the following votes:

Ayes: Council Member Bomgardner, Council Member Retana, Council Member Lynne

Nays: Council Member Blackson, Mayor Pro Tem Norwood

J. ADJOURNMENT

Motion made by Mayor Dye to adjourn. Motion seconded by Mayor Pro Tem Norwood. Motion approved unanimously.

The meeting adjourned at 8:23 p.m.

Signed: 

Mayor Robert C. Dye

Attest: 

City Secretary Amy M. Piukana