

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
APRIL 1, 2025**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, April 1, 2025 at 5:45 p.m. with the following members present: Mayor Steve Babick, Mayor Pro Tem Richard Fleming, Deputy Mayor Pro Tem Christopher Axberg, Councilmembers Nancy Cline, Jason Carpenter, Andrew Palacios, Daisy Palomo, and Rowena Watters. Also present were City Manager Erin Rinehart, Assistant City Manager Chrystal Davis, Assistant City Manager Shannon Hicks, City Attorney Meredith Ladd and City Secretary Chloe Sawatzky.

5:45 P.M. – COUNCIL BRIEFING ROOM

*****PRE-MEETING *****

Mayor Babick called the meeting to order at 5:45 p.m.

1. Receive information and discuss Agenda.

Agenda items were reviewed. Staff responded to Council's questions.

*****EXECUTIVE SESSION*****

2. Council convened into Executive Session at 6:45 p.m. pursuant to Texas Government Code:
 - **Section 551.071** for private consultation with the City Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the City Attorney has a duty under the Texas Rules of Discipline and Professional Conduct regarding confidential communication with the City Council.
 - **Section 551.087 to discuss Economic Development.**
3. Council reconvene in Open Session at 7:02 p.m. to consider action, if any, on matters discussed in the Executive Session. No action was taken.

*****WORKSESSION*****

4. Receive Legislative Update.

Larry Gonzales, City of Carrollton legislative consultant present via videoconference, presented this update on the 89th Texas State Legislative Session.

Mr. Gonzales advised that the Senate is moving bills quickly, however, the House is moving more slowly. He added there is a new House Speaker and several new Chairpersons. He stated that the legislative priorities remain the same: water, electric grid, school vouchers, and property tax relief.

Mr. Gonzales stated that there are 594 bills filed that could possibly impact Carrollton in some way. He provided specific updates on the following:

- HB134: Re: sourcing of sales tax
- HB3187/SB1557: Re: powers of regional transportation authorities (DART funding)

- HB3404/SB840: Re: regulation of multifamily and mixed-use residential development projects and converting commercial buildings to same
- HB3169: Re: tax revenue from hotel and convention center projects
- SB19: Re: taxpayer funded lobbying
- HB1585: Re: areas of operation of housing financing corporations and exemption from certain taxes
- HB2695: Re: the use of social media in furtherance of an offense involving the delivery of a controlled substance; increasing criminal penalties
- SB878: Re: limitations on use of public money for certain economic development agreements or programs (Chapters 380 and 381 agreements)
- SB414: Re: the text of ballot propositions for bond elections
- HB19: Re: issuance and repayment of debt by local governments
- SB924: Re: entities that provide cable services or video services

5. Mayor And Council Reports And Information Sharing.

Council reviewed their recent activities and upcoming events.

Worksession concluded at 6:45 p.m. Executive Session followed.

*****REGULAR MEETING 7:00 P.M.*****

Mayor Babick called the Regular meeting to order at 7:12 p.m.

INVOCATION – Councilmember Nancy Cline

PLEDGE OF ALLEGIANCE – Councilmember Daisy Palomo

PRESENTATIONS

6. Present Proclamation Recognizing Child Abuse Prevention Month.

Mayor Babick read a proclamation commending CASA of Denton County for their support of children in Carrollton and Denton County, and recognizing as April as:

Child Abuse Prevention Month

The proclamation was presented to Keisha Jackson, a Board Member of CASA, who offered comments of appreciation.

PUBLIC COMMENT

7. Hearing of any citizen/visitor on items listed on the regular meeting agenda. Citizens wishing to address the Council regarding items not on the posted agenda will be called to speak during the Public Forum.

Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and

state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

Mayor Babick opened and closed the public comment period with no one wishing to speak.

CONSENT AGENDA

*(*All items marked with a single asterisk are part of a Consent Agenda and require no deliberation by the Council. Each Council member has the prerogative of removing an item from this agenda so that it may be considered separately. Contracts and agreements are available in the City Secretary’s Office.)*

Councilmember Palacios moved to approve Consent Agenda Items 8-13; second by Councilmember Cline. The motion was approved with a unanimous 7-0 vote.

CONTRACTS & AGREEMENTS

- *8. Consider Authorizing The City Manager To Enter Into An Agreement With USA Shade, Through BuyBoard, For The Purchase And Installation Of Shade Structures In An Amount Not To Exceed \$115,199.43.**
- *9. Consider Authorizing The City Manager To Execute Change Order No. 2 With Axis Contracting, Inc. For Additional Work As Part Of The Plano Parkway Park, Phase 1 In An Amount Not To Exceed \$87,214.88, Increasing The Total Project Contract To An Amount Not To Exceed \$2,310,899.71.**

ORDINANCES

- *10. Consider An Ordinance Designating The Number of Positions in Each Classification of Firefighters In The Carrollton Fire Department.**
- *11. Consider An Ordinance Amending Title XIII, Chapter 130 Of The Carrollton City Code Regarding The Regulation Of Sex Offender Residency By Adopting Definitions To Align With The Texas Code Of Criminal Procedure.**

RESOLUTIONS

- *12. Consider A Resolution To Authorize The City Manager To Negotiate And Execute A Contract With Westwood Professional Services, Inc. For Professional Engineering Services For The Design Of Trinity Mills Road LED Street Lighting.**
- *13. Consider A Resolution Adopting The 2025 Downtown Master Plan.**

PUBLIC HEARING – INDIVIDUAL CONSIDERATION

- 14. Hold A Public Hearing To Consider An Ordinance Amending The Zoning On An Approximately 2.6-Acre Tract Zoned PD-45 For The (O-1) Office District And Located On The North Side Of MacArthur Drive Approximately 205 Feet West Of Old Denton Road; To Amend Planned Development 45 To Rezone To (LR-2) Local Retail District; To Modify Development Standards And To Revise Conceptual Plans; Amending The Official Zoning Map Accordingly.** Case No. PLZ2024-181 Manna Plaza & Manna Village.

Loren Shapiro, Planning Manager, stated this is a request to change the base zoning on two tracts of land, already developed with two buildings. The current zoning of Office would change to Local Retail. Photos were provided included as a concept plan. No comments were received. Staff is recommending approval.

Mayor Babick asked if the applicant would like to speak. Kevin Patel, 1012 MacArthur Dr, representing the owner, spoke briefly about the rezoning request. He said that local retail would be the same as some of the surrounding area.

Mayor Babick opened and closed the public hearing with no one wishing to speak.

Councilmember Palomo moved to approve; second by Councilmember Palacios. Motion passed unanimously with a vote of 7-0.

- 15. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow A Short-Term Rental On An Approximately 0.17-Acre Lot Zoned (SF-7/14) Single-Family Residential District And Located At 2242 Old Mill Road; Amending The Official Zoning Map Accordingly.** Case No. PLSUP 2025-012 2242 Old Mill Road Short-Term Rental.

Loren Shapiro, Planning Manager, stated this is a request for a short-term rental for a 1,900 square foot residential home. A location map was provided which reflected the 200-foot notification area surrounding the property. Mr. Shapiro explained that Old Mill Road, where the property is located, separates the City of Carrollton and the City of Dallas. Notices of the proposed zoning change were only sent to property owners in Carrollton, which is south of Old Mill Road. He added that when the packet was prepared opposition was received from 7.5 percent of the notified property owners, however since then, additional public input cards in opposition have been received which raised that percentage to 18.75. Mr. Shapiro advised that there are no police calls or code violations on record. Planning and Zoning recommended approval and staff recommends approval.

Mayor Babick asked if the applicant would like to speak. Maklen Marchant, 2355 Thomas Ave., Dallas, provided some background information on this home. He stated he has operated it as a short-term rental for the past couple of years. He said he vets all occupants and prefers to have families stay, adding it is a quiet neighborhood. Mr. Marchant said that some of the recent public comment cards sent to the city are from people not within the 200-foot notification area. He added that he will comply with all the city's requirements if the request is approved.

Mayor Babick opened the public hearing. He said he has four cards in opposition from individuals who did not wish to speak. Speakers included the following:

Opposed:

Tom Lawrence, 2257 Big Bend Dr.

Roseanne Hottel, 2245 Roundrock Dr.
Katie Moore, 2259 Big Bend Dr.

In Favor:

Anna Justiniani, 1611 Roselin

There being no other speakers, Mayor Babick closed the public hearing.

The applicant provided a response to some of the comments. He advised that he was not aware of the ordinance regarding short-term-rentals until a few months ago. He is aware of the noise complaint from last week and provided an explanation. He added that he wants everyone to feel comfortable with the property being a short-term rental.

Deputy Mayor Pro Tem Axberg inquired whether there is a pool with a fenced enclosure, and a rear entry driveway. The applicant responded yes, there is a rear entry driveway and no, there is not a separate fence to the pool area; only the yard's perimeter fence.

Mayor Babick asked Mr. Shapiro to explain a handout the Council received at the dais. Mr. Shapiro stated that it is photocopies of additional public comment cards received since the packet was prepared. Deputy Mayor Pro Tem Axberg asked Mr. Shapiro whether P&Z voiced any safety concerns or any concerns regarding the home's proximity to a daycare facility and a preschool. Mr. Shapiro responded that they did not. Councilmember Cline asked Mr. Shapiro whether some of the comments received came from areas outside the 200-foot notification area. He responded yes, adding there is no requirement that comments be from within the 200-foot area.

Deputy Mayor Pro Tem Axberg moved to approve Item 15; second by Councilmember Palacios. Motion failed with a vote of 1-6 (Carpenter in favor; all others opposed.)

- 16. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow A Short-Term Rental On An Approximately 0.17-Acre Lot Zoned (SF-7/14) Single-Family Residential District And Located At 2120 Kings Road; Amending The Official Zoning Map Accordingly.** Case No. PLSUP 2024-193 2120 Kings Road Short-Term Rental.

Loren Shapiro, Planning Manager, stated this is a short-term rental request for a 1,667 square foot, three bedroom home. He provided a floor plan and a location/zoning map. He advised that there are no violations on record and staff is recommending approval. P&Z recommended approval. He noted that public comment cards in opposition were received reflecting less than 3.5 percent of the surrounding property owners.

Mayor Babick asked if the applicant would like to speak. Philip and Angela Hague, 1125 Lady Carol Ln., Lewisville, stated they have owned the property for 12 years and began the efforts to obtain a short-term rental permit approximately 17 months ago. At that time there were no requirements for operating a short-term rental. The applicants were notified in November 2024 of the short-term rental ordinance. The improvements made to the property were reviewed. It was stated that a long-term rental permit was received in 2023.

Councilmember Carpenter inquired about the timeline. Angela Hague stated that they called the city in 2022 to ask if there was a requirement for short-term rentals; there was none at that time. In 2023

they began make the improvements to the property. They were informed by the city in November 2024 of the short-term rental SUP requirement. Philip Hague added that he also contacted the city to pay the hotel taxes and got no response. Councilmember Palomo asked for timeline clarification. Angela Hague responded that when she called the city, she was told to do a long-term rental permit because there were no short-term rental requirements. When asked how many properties they own in Carrollton, the applicants responded that they own three homes.

Mayor Pro Tem Fleming confirmed with Mr. Shapiro that there have been no complaints on this property.

Deputy Mayor Pro Tem Axberg asked Mr. Shapiro for clarification about an adjacent property on the map. Mr. Shapiro stated it is Furneaux Creek Elementary School. It was later clarified that this school is set to be closed by the School District, also that the school was notified of the zoning change request.

Mayor Babick asked whether there is any documentation as to the applicant’s inquiries dating back to 2023 as they related to the long-term rental permit. Cory Heiple, Environmental Services Director, responded that before the city obtained software for short-term rentals, those inquiring about permits were entered as long-term rentals. Mayor Babick confirmed with Mr. Shapiro this this property is not eligible as a non-conforming use.

Mayor Pro Tem Fleming moved to approve Item 16; second by Councilmember Watters. Motion failed with a vote of 2-5 (Fleming and Palacios in favor; Axberg, Carpenter, Cline, Palomo, Watters opposed.)

17. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow A Short-Term Rental On An Approximately 0.25-Acre Lot Zoned (SF-7/14) Single-Family Residential District And Located At 2017 Sam Houston Boulevard; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2025-002 2017 Sam Houston Boulevard Short-Term Rental.

Loren Shapiro, Planning Manager, said that this is a short-term rental request for a 1,747 square foot home. He advised that P&Z denied the request so if Council chooses to approve it, a super-majority (6 of 7 Council votes in favor) is required. Additionally, more than 20 percent of the neighboring property owners are opposed. He said that there are no violations on record and staff recommends approval.

Applicants Philip and Angela Hague, 1125 Lady Carol Ln., Lewisville, read prepared statements requesting reconsideration of this request. Mr. Hague stated that it is within a property owner’s right to do with their property as they wish, adding that the city made the requirement for the SUP retroactive of the effective date. He reviewed that they received verbal approval from the city to operate as a long-term rental in October 2022 and the ordinance was approved in December 2022. Mr. Hague reviewed the investment made at this property, and stated there have been no code violations or police reports. Angela Hague also read a prepared statement. She said that property values have increased in recent years and provided legal references as to their rights. She added that they should have been grandfathered since the ordinance was not in effect until November 2024.

Mayor Babick asked Mr. Heiple if the applicants are eligible for non-conforming rights. He responded no.

Mayor Babick opened the public hearing. He said that he has four cards in opposition from individuals who did not wish to speak. Speakers in opposition included:

Carla Sue Bynum, 2023 Sam Houston Circle
Maria Madrano, 2015 Sam Houston Blvd.
Sandie Blue, 2020 Sam Houston
Patty Peterson, 2031 Sam Houston Circle

Mayor Babick closed the public hearing.

The applicants offered closing remarks.

Councilmember Cline inquired where the parking is. Mr. Heiple responded that there are two places in the garage and four in the driveway.

Councilmember Carpenter stated this is a land use issue.

Councilmember Carpenter moved to approve Item 17; second by Councilmember Palacios. Motion failed with a vote of 3-4 (Carpenter, Fleming, Palacios in favor; Axberg, Cline, Palomo, Watters opposed.)

- 18. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow A Short-Term Rental On An Approximately 0.17-Acre Lot Zoned (SF-7/14) Single-Family Residential District And Located At 2925 Rolling Hills Boulevard; Amending The Official Zoning Map Accordingly.** Case No. PLSUP 2025-018 2925 Rolling Hills Drive Short-Term Rental.

Loren Shapiro, Planning Manager, stated this is a request for a short-term rental for a 1,588 square foot, 3-bedroom single family home. He provided a location map, property photos, and a map reflecting the 200-foot zone where property owners were notified. There have been no violations. The P&Z recommended approval and staff recommends approval.

The applicant, Vinh Le, 1804 Chamberlin Dr., stated that this is his mother’s home. They would like to be able to have a short-term rental during the winter months while she is out of the country; she will continue to live there during the warmer months. He said the house was purchased in June 2024.

Mayor Babick opened the public hearing. There being no speakers, he closed the public hearing.

Councilmember Palacio moved to approve Item 18; second by Councilmember Palomo. The motion failed with a vote of 3-4 (Fleming, Palacios, Watters in favor; Axberg, Carpenter, Cline, Palomo opposed.)

PUBLIC FORUM

- 19. Hearing of any citizen/visitor on items not listed on the regular meeting agenda. Citizens wishing to address the Council regarding items on the posted agenda will be called to speak during the Council's consideration of such items.**
Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to

individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

Mayor Babick opened the public forum.

Philip and Angela Hague, 1125 Lady Carol Ln., Lewisville: Spoke with concerns regarding the outcome of their short-term rental agenda items.

Maklen Marchant, 2355 Thomas Ave.: Spoke with concerns regarding the outcome of his short-term rental agenda items.

Vinh Le, 1804 Chamberlin Dr.: Spoke with concerns regarding the outcome of his short-term rental agenda item.

Brady Barnett, 2514 Canterbury Dr.: Introduced himself as a candidate for CFB ISD School Board.

Rangoli Mathur, 1001 Peacock Blvd.: Introduced herself as a candidate for CFB ISD School Board.

There being no other speakers, Mayor Babick closed the public forum.

ADJOURNMENT - Mayor Babick adjourned the meeting at 8:44p.m.

ATTEST:

Chloe Sawatzky, City Secretary

Steve Babick, Mayor