

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
MAY 6, 2025**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, May 6, 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. He advised that Executive Session would be convened at this time.

1. Receive information and discuss Agenda.

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

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

2. Council convened at 5:45 p.m. into Executive Session 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.
3. Council reconvened at 6:07 p.m. into Open Session to consider action, if any, on matters discussed in the Executive Session. No action was taken.

*****WORKSESSION*****

Worksession began at 6:07 p.m. with Item 1. Item 4 followed.

4. Receive Legislative Update.

Larry Gonzalez, City of Carrollton legislative consultant presenting via videoconference, presented this update on the 89th Texas State Legislative Session. Current status of the following was reviewed:

- HB134: Re: sources of sales tax
- HB3187/SB1557: Re: powers of regional transportation authorities (DART funding)
- HB3169: Re: tax revenue from hotel and convention center projects
- SB673: Re: regulation of accessory dwelling units by political subdivisions
- 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)
- HB19: Re: issuance and repayment of debt by local governments
- SB924: Re: entities that provide cable services or video services
- SB1567: Re: authority of home-rule municipalities to regulate the occupancy of dwelling units

Discussion followed regarding the status of bills related to municipal elections being moved from May to November. Mr. Gonzales will provide an update. He will also confirm population limit in SB673.

5. Discuss LEED For Cities Gold Certification and Program.

Cory Heiple, Director of Environmental Services, presented this item. He advised that the City of Carrollton has been awarded the LEED For Cities Gold Certification. He advised that LEED is short for Leadership in Energy and Environmental Design. It was developed by the U.S. Green Building Council (USGBC). The certification program evaluates sustainability and resilience of cities based on data-driven performance across key categories. The recognition plaque will be presented later in the meeting.

Mr. Heiple explained that the city's efforts toward this certification began with the adoption of the City of Carrollton Sustainability Plan. Carrollton certified the entire city, 37 square miles, and it is one of only 140 U.S. cities that have already certified. He added that the process began with a grant from Bank of America and certification was accomplished with contributions from 20 city employees in 10 departments. Ten prerequisites were met and a minimum of 31 credits were required. Carrollton received 68 out of a possible 110 credits resulting in the Gold Certification. A 230-page report prepared by city staff was submitted to USGBC. He noted that the report includes potential areas of improvement (i.e., water usage.)

Mr. Heiple said that the case study is available on the USGBC website. Councilmember Carpenter inquired whether the Gold Certification is typical. Mr. Heiple advised that Silver Certification is more common.

6. Receive A Briefing On The Frankford Road Traffic Study Results And Recommendations.

Jonathan Wheat, Director of Engineering, presented this item. He advised that design is underway for the Frankford Road construction project located on the west side of Carrollton that includes 13 lane-miles of roadway. He advised the traffic study is complete and includes a recommendation to improve traffic at the Old Denton and Frankford interchange with a median shift that will provide extra stacking to turn left onto Old Denton. A temporary lane in the median will be created during construction in order to maintain four lanes of traffic as it is now. Mr. Wheat added that landscaping in the median will be replaced after construction. He noted that water and sewer in this area will be upgraded as part of the project.

In response to Councilmember Carpenter's question, Mr. Wheat advised that the traffic signal will be revised appropriately for the roadway changes. Mayor Babick stated that this project is part of the

2022 bond project and Denton County is subsidizing the project with \$7.8 million. Mr. Wheat stated that the first section of the project should be bid later this year with construction starting early next year.

Item 9 was addressed next.

7. Receive Update On LIV Golf Dallas 2025.

At the conclusion of the Regular Meeting the Work Session was reconvened at 8:06 p.m. with Item 7.

Christopher Szymczyk, Economic Development Manager, provided an update on the 2024 LIV Golf Tournament. He advised a few changes have occurred from the previous presentation to Council. He advised that on March 20th the Texas Event Trust Fund approved the City's application for funding in the amount of \$83,549. On May 2nd, the Governor's Office issued its guidelines regarding sources of funding for local shares, stating the funds can come from other sources.

James Clark, Vice President of Outlyr and Tournament Director, was present for questions. He advised that Outlyr will pay the City's portion that will then be paid to the state. As a result, the City will incur no financial risk for the tournament.

Councilmember Palomo asked about the school district being a benefactor of the tournament given the date (June) being after school is out for the year. Mr. Clark responded that he has a meeting with the principals this week to discuss it.

8. Receive A Briefing On The Floodplain Management And Mapping Project.

Jonathan Wheat, Director of Engineering, provided a brief update on the Floodplain Management Mapping Project. He stated that the Upper Indian Creek and Furneau Creek maps have been approved. He also reviewed the updated floodplain webpage on the City website.

Council Meeting concluded at 8:23 p.m.

9. Mayor And Council Reports And Information Sharing.

Council reviewed their recent activities and upcoming events.

Mayor Babick adjourned the Work Session at 7:01 p.m. following Item 9 to convene the Regular Meeting.

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

Mayor Babick called the Regular meeting to order at 7:09 p.m.

INVOCATION – Deputy Mayor Pro Tem Christopher Axberg.

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Richard Fleming

PRESENTATIONS

10. Present A Proclamation Naming May As Building Safety Month in Carrollton.

Mayor Babick read a proclamation recognizing May 2025 as Building Safety Month. He recognized the work done by the Development Services staff to ensure building safety in the City of Carrollton. The proclamation was presented to Brett King, Director of Development Services. Mr. King introduced other staff members, Thomas Wood, Senior Plans Examiner, and Oscar Frayre, Permit Technician.

11. Present LEED For Cities Gold-Level Certification Plaque To Mayor Steve Babick And Certificates To City Staff.

Jonathan Kraatz, Executive Director for the U.S. Green Building Council, Texas Chapter, provided a brief review of the process involved for the City to be granted the LEED Gold Certification. The plaque was presented to Mayor Babick and Cory Heiple, Environmental Services Director. Individual certificates were provided to City staff recognizing them for their contributions toward Carrollton receiving the LEED recognition.

In addition, Mayor Babick recognized Mr. Heiple and Ms. Novella Lando, Transportation Engineer, with Outstanding Performance Awards for their contributions toward the Sustainability Plan and the LEED Gold Certification. Mr. Heiple offered comments of appreciation and recognition for the staff, Council, and City leadership for their contributions.

PUBLIC COMMENT**12. 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 the public comment period for Consent Items 13-21 and Item 26.

Mary Forbes, 3000 Silverado Dr., spoke opposed to short-term rentals. [Item 26.]

Joahim Morales, 2743 Timberleaf, spoke in support of short-term rental. [Item 26.]

John Castaldi, 1425 Indian Springs, spoke in opposition to short term rentals. [Item 26.]

Public comment period was closed.

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 Palomo moved to approve Consent Agenda Items 13-21; second by Mayor Pro Tem Fleming. The motion was approved with a unanimous 7-0 vote.

MINUTES

***13. Consider Approval Of The February 18, 2025 Regular Meeting Minutes.**

***14. Consider Approval Of The April 15, 2025 Regular Meeting Minutes.**

CONTRACTS & AGREEMENTS

***15. Consider Authorizing The City Manager To Enter Into An Agreement With Siddons-Martin Emergency Group For The Purchase Of Fire Tools, Equipment, And Mounting Hardware Through an Inter-Local Agreement With Buy-Board In An Amount Not To Exceed \$59,000.00.**

***16. Consider Authorizing The City Manager To Approve A Contract With Ratliff Hardscape Ltd. For Phase 2 Of The Plano Parkway Park Project In An Amount Not To Exceed \$919,930.00.**

***17. Consider Authorizing The City Manager To Execute A Change Order To The Contract With Dallas Harmony Construction, LLC For Additional Repairs At Rosemeade Recreation Center Increasing The Contract By \$9,970.00, For A New Total Amount Not To Exceed \$411,970.00.**

***18. Consider Authorizing The City Manager To Purchase Licensing And Maintenance From Harris Computer Systems In The Amount Of \$114,894.81 For A Two-Year Amount Not To Exceed \$247,023.84.**

RESOLUTIONS

***19. Consider A Resolution Authorizing The City Manager To Execute An Amendment To The Contract With Axon Enterprise, Inc, For Additional Tasers, Body Cameras And Software Licensing Services Increasing The Annual Expenditure To An Amount Not to Exceed \$595,549.00 For A Revised Contract Amount Not To Exceed \$5,622,294.**

***20. Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Professional Services Contract With Parkhill, Smith And Cooper, Inc. (DBA Parkhill), For Architectural And Engineering Services Related To The Oak Creek Tennis Center Addition Project In An Amount Not To Exceed \$643,000.00.**

***21. Consider A Resolution Authorizing The City Manager To Negotiate And Execute An Economic Development Incentive Agreement With UEP, Inc., Establishing A Program Of Grants To The Company For Its Expansion At 2323 McDaniel Drive, In Amounts Equal To Fifty Percent (50%) Of Taxes Paid To The City On The Assessed New Value**

Of Real Property And Business And Personal Property For A Maximum Term Of Five (5) Years, For A Total Incentive Amount Not To Exceed \$1,559,868.

PUBLIC HEARING – INDIVIDUAL CONSIDERATION

- 22. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Amend SUP-417 Allowing A Used Car Dealer To Modify The Special Conditions, Restrictions, And Regulations, By Removing The SUP Expiration Date On An Approximately 3-Acre Tract Zoned (LI) Light Industrial District And Located At 3228 And 3232 Skylane Drive; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2025-053 SUP-417 Amendment.**

Loren Shapiro, Planning Manager, advised this is a staff initiated request to remove the expiration date on a Special Use Permit for used auto sales. He provided a location/zoning map, noting that there are currently several other SUPs in place for used auto sales in the area. Mr. Shapiro explained that the City no longer issues Special Use Permits with expiration dates.

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

Councilmember Cline moved to approve Item 22; second by Councilmember Palomo. The motion was approved with a unanimous vote of 7-0.

- 23. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow An Amusement Arcade (Excluding Adult Arcade) In An Approximately 3,400 Square Foot Space Zoned PD-45 For The (O-2) Office District And Located At 1012 Mac Arthur Drive, Suite 124; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2024-183 Claw Mania Kingdom Arcade.**

Loren Shapiro, Planning Manager, advised this is an Arcade Special Use Permit request for a 3,400 square foot suite that will include 100 claw-type arcade machines. A location/zoning map was provided. He added that last month, the Council approved a zoning change for this site to Local Retail (LR- 2). A conceptual site plan was provided. The hours of operation will be 11 a.m. to 10 p.m. Staff is recommending approval. Mr. Shapiro stated that one comment card in opposition was received.

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

Councilmember Palacios moved to approve Item 23; second by Councilmember Cline. The motion was approved with a unanimous vote of 7-0.

- 24. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow A Tattoo Parlor On An Approximately 0.9579-Acre Tract Zoned PD-045 For The (LR-2) Local Retail District And Located At 1016 West Trinity Mills Road, Suite 128; Amending he Official Zoning Map Accordingly. Case No. PLSUP 2024-196 Tattoo Parlor.**

Loren Shapiro, Planning Manager, presented this item. He provided a conceptual floor plan that reflected Suite No. 128 as the location for this Specific Use Permit request. He advised that “micro-blading” is the primary use for this tattoo parlor. The hours of operation will be Tuesday-Saturday, 10

a.m. until 5:00 p.m. Mr. Shapiro advised that one comment card was received in support and one was received in opposition. Staff is recommending approval.

Councilmember Carpenter inquired as to why there is a distinction for a tattoo parlor with “micro-blading”. Mr. Shapiro stated it is a type of tattoo. If approved, other tattoo parlors without “micro-blading” could operate there under this SUP in the future as well.

Deputy Mayor Pro Tem Axberg inquired whether there is an age restriction in the stipulations. Mr. Shapiro responded there is not an age restriction.

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

Councilmember Palomo moved to approve Item 24; second by Councilmember Carpenter. The motion was approved with a unanimous vote of 7-0.

25. Hold A Public Hearing To Consider An Ordinance Amending Article V. Use Of Land And Structures By Adding A New Section D To Provide An Interim Prohibition Of The Application Or Issuance Of Special Use Permits For “Short-Term Rental” And “Bed And Breakfast” Uses In All Applicable residential Districts. PLZT 2025-074 CZO Text Amendments - STR and B&B Interim Prohibition.

Loren Shapiro, Planning Manager, stated this is an amendment to Article 5 of the Zoning Ordinance. Staff is presenting this for consideration due to an increase in resident property concerns regarding transient and vacation rental uses that infringe on the property rights of neighbors in the City of Carrollton. The City has had numerous speakers attend public meetings to express concerns about the increase in health, safety, and nuisance issues related to short-term rentals and bed and breakfasts. He stated that residents have stated that short-term rentals (STRs) and bed and breakfasts (B&Bs) disrupt their use of property due to unreasonable noise, excessive trash, disorderly conduct, and parking. Additionally, residents have stated that some STR and B&B occupants are less concerned than long-term residents with the impact of conduct at STR and B&B property on neighbors, due to the temporary nature of their occupancy and lack of community with the neighborhood.

Mr. Shapiro stated that in response to these concerns, City staff is recommending enacting a one-year prohibition on STRs and B&Bs process through a Special Use Permit (SUP). Seven items would be amended under Article 5. He reviewed the following:

The imposition of the prohibition will still allow the uses to operate under the following conditions.

- a. Subject to Article 21 on Special Use Permits and Article 22 on Nonconformity, STRs and B&Bs are prohibited in dwelling units, dwellings, and residences. For purposes of this subsection only, nonconforming uses include those operating as an STR or B&B prior to February 7, 2023, pursuant to Ordinance No. 4127.

What does this mean?

New STRs and B&Bs are prohibited through the SUP process in dwelling units, dwellings and residences (including in residential districts).

- b. Any STR or B&B that has been in operation subsequent to February 7, 2023, and prior to May 6, 2025, but has not received a special use permit, as anticipated in Ordinance

No. 4127, may be eligible to continue operating upon receipt of a temporary permit pursuant to the provisions of Chapter 100 of the Carrollton Code of Ordinances.

What does this mean?

This impacts operating STRs and B&Bs that do not have a Special Use Permit approved but have submitted a complete Planning application for an SUP requesting the use, since February 7, 2023 but before May 6, 2025. In this instance an operator would need to acquire a temporary permit during the one year prohibition period, subject to new interim permitting requirements that will be adopted in the City Code of Ordinances (Chapter 100).

- c. An STR or B&B that has received a Special Use Permit or an STR or B&B that has non-conforming status, pursuant to Ordinance No. 4127, may continue to operate, as long as the operator remains in compliance with Chapter 97 of the Carrollton Code of Ordinances.

What does this mean?

STRs and B&Bs with non-conforming status may continue as long as the operations are in compliance with the current standards – Chapter 97 of the Code of Ordinances.

Mr. Shapiro stated that the one-year interim prohibition is necessary to provide interim provisions while prohibiting the application or issuance of a special use permit for short term rentals or bed and breakfasts, for approximately one year. The temporary restrictions would expire on May 5, 2026. An interim temporary permitting process will be in place during the prohibition period. The City shall conduct public outreach, collect data, and analyze information to determine permanent recommendations, due to community concerns about health and safety.

Councilmember Palomo inquired about “notice” to the neighbors under this proposal. City Attorney Meredith Ladd responded that there would be no SUP process so no notice would be given.

Mayor Babick opened the public hearing.

John Castaldi, 1425 Indian Springs, spoke in opposition to short term rentals.

Dave Watters, 2917 Cambridgeshire Dr, spoke in support of this item without the interim permitting process included.

Cards from residents in support but not speaking were received from:

Rick Jackson
Kyle Teague
Jim Wilson
Patty Wilson

Mayor Babick closed the public hearing.

Councilmember Carpenter and Deputy Mayor Pro Tem Axberg spoke in favor.

Councilmember Carpenter moved to approve Agenda Item 25; second by Mayor Pro Tem Fleming. The motion was approved with a unanimous vote of 7-0.

ORDINANCES

26. Consider An Ordinance Establishing Title IX, Chapter 100. - Temporary Short-Term Rental And Bed And Breakfast Permit During Interim Prohibition To Regulate Short-Term Rental And Bed And Breakfast Uses.

Councilmember Palacios moved to approve Agenda Item 26; second by Councilmember Carpenter. The motion was approved with a vote of 6-1. Councilmember Cline voted in opposition.

PUBLIC FORUM

27. **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.**

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Mayor Babick opened the public forum.

Bob Ellerd, 1404 Brookside Dr: spoke requesting the carport design standards be revised

Robert Houston, 1208 North Scope: spoke requesting an increase in the amount of property tax exemption for homeowners over the age of 65.

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

The Regular Meeting concluded at 8:03 p.m. Mayor Babick continued the Work Session with Item 7.

Council Meeting concluded at 8:23 p.m. following Work Session Item 8.

ADJOURNMENT - Mayor Babick adjourned the meeting at 8:23 p.m.

ATTEST:

Chloe Sawatzky, City Secretary

Steve Babick, Mayor