

**CARROLLTON CITY COUNCIL  
REGULAR WORKSESSION AND MEETING  
APRIL 7, 2015**

The City Council of the City of Carrollton, Texas convened in a Regular Worksession and Meeting on Tuesday, April 7, 2015 at 5:45 p.m. with the following members present; Mayor Matthew Marchant, Mayor Pro Tem Bob Garza, Deputy Mayor Pro Tem Anthony Wilder, Councilmembers Kevin Falconer, Doug Hrbacek, Lisa Sutter, Jeff Andonian and Steve Babick. Also present were City Manager Leonard Martin, Assistant City Managers Marc Guy, Bob Scott and Erin Rinehart, City Attorney Meredith A. Ladd and City Secretary Krystle Nelinson.

**5:45 P.M. – COUNCIL BRIEFING ROOM**

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

Mayor Marchant called the meeting to order at 5:47 p.m.

- 1. Receive information and discuss Consent Agenda.**

**\*\*\*REGULAR MEETING 7:00 PM\*\*\***

Mayor Marchant called the Regular Meeting to order at 7:10 p.m.

**INVOCATION – Deputy Mayor Pro Tem Anthony Wilder**

**PLEDGE OF ALLEGIANCE – Mayor Pro Tem Bob Garza**

**PRESENTATIONS**

- 9. Present Recognition Of The Texas Comptroller's *Platinum Leadership Circle Award For Financial Transparency.***
- 10. Present A Proclamation Declaring April 6-11, 2015 As National Community Development Week.**
- 11. Present A Proclamation Declaring April 7, 2015 As *National Service Recognition Day.***

**PUBLIC FORUM**

- 12. 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 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.

Gerald Roehrig, 2306 Stonebrook Circle, recommended the Council adopt a resolution stating that the City would only respect United States laws, referred to HB 562 and explained his reasoning for the resolution.

Lee Roehrig, 2306 Stonebrook Circle, reiterated the request to protect the U. S. Constitution and laws.

David Yarbrough, 3202 Cutter Place, asked the Council to consider purchasing land next to the Perry Museum for the historical preservation of the whole area. He offered assistance.

Judy Scamardo, former Mayor Pro Tem, 1517 Northridge Drive, also encouraged the Council to consider the land referred to by Mr. Yarborough.

Willie Rainwater, 2006 Southern Oaks, asked the Council to consider naming a street “Rainwater” to recognize the history of the Rainwater Family in the City. He suggested that Jamestown be renamed to Rainwater and felt it would have minimal impact.

Charles Rainwater, 2000 Knollwood Lane, also requested Jamestown Street be renamed to Rainwater and provided the history of the Rainwater Family.

Ray Rainwater, 1636 Old Hickory Trail, DeSoto, stated the Rainwater Family has been in Carrollton since 1855 and requested a street be named Rainwater Street.

Mayor Marchant thanked the Rainwater family for bring forward the request recognizing the history of their family and acknowledging the oversight.

**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.)*

Mayor Marchant advised that Items 26 and 32 would be pulled from the Consent Agenda for separate vote.

**Councilmember Falconer moved approval of Items 12-25 and 27-31; second by Councilmember Andonian.** Deputy Mayor Pro Tem Wilder stated he is a big opponent of debt issuance; however since the voters approved the debt, it was the Council’s duty to be good stewards of the debt. He thanked Bob Scott and his team because part of the issuance on the agenda for approval was a refunding of debt to a lower interest rate and he stated it was in the best fiscal interest of the taxpayers of the City. **The motion was approved with a unanimous 7-0 vote.**

**MINUTES**

**\*13. Consider Approval Of The March 17, 2015 Regular Meeting Minutes.**

**BIDS & PURCHASES**

**\*14. Consider Approval Of The Purchase And Construction Of A Pavilion At Jimmy Porter Park For The Parks Department From Play By Design In An Amount Not To Exceed \$69,650.00.**

**\*15. Consider Approval Of Bid #15-022 For The Purchase Of Four Sand Spreaders To Warren Truck & Trailer In An Amount Not To Exceed \$63,920.00.**

**\*16. Consider Approval For The Purchase Of Motor Fuel Through An Interlocal Agreement And A Tarrant County Bid Renewal In An Amount Not To Exceed \$1,253,615.00.**

**\*17. Consider Approval Of The Purchase Of HVAC Replacement For Facility Services From Trane In An Amount Not To Exceed \$46,440.00.**

**\*18. Consider Approval To Renew The Contract For Janitorial Services To CTJ Maintenance, Inc In An Annual Amount Not To Exceed \$367,140.00.**

**\*19. Consider Approval Of The Replacement Of One (1) Service Truck From Southwest International Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$69,181.20.**

**\*20. Consider Approval Of The Purchase Of Fourteen (14) Trucks For Various City Departments From Caldwell Country Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$355,297.43.**

**\*21. Consider Approval Of Bid # 15-007 For Fertilizer For The Parks Maintenance Department From Various Vendors In An Amount Not To Exceed \$75,000.00.**

**\*22. Consider Approval For The Purchase Of One Shade Structure For Rosemeade Dog Park Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$19,838.00.**

**\*23. Consider Approval Of The Purchase Of A Restroom/Concession Facility At Thomas Baseball Complex In An Amount Not To Exceed \$208,000.00.**

**CONTRACTS & AGREEMENTS**

**\*24. Consider Authorizing The City Manager To Approve Change Order #1 With RKM Utility Services, Inc. To Connect Cheyenne Drive With Damsel Caitlyn Drive In Castle Hills As Part Of The Streets 2014 (Neighborhood Project #2) Reconstruction Project In An Amount Of \$86,347.00 For A Revised Contract Amount of \$3,614,682.00.**

**\*25. Consider Authorizing The City Manager To Approve Change Order #2 With SYB Construction Company For Additional Pavement And Driveway Replacement Throughout The Carrollton Downs Alley And Sanitary Sewer Line Replacement Project In An Amount Of \$54,523.30 For A Revised Contract Amount Of \$2,177,159.30.**

#### **ORDINANCE**

~~**\*26. Consider An Ordinance Amending Title XI, Chapter 116, “Restaurants And Food Establishments”, To Allow Dogs On Food Establishment Patios, And Title III, Chapter 31, “Comprehensive Fee Ordinance”, Of The Carrollton Code Of Ordinances.**~~

**\*27. Consider An Ordinance Amending Title XIII, Chapter 133, “Parks And Recreation,” Of The Carrollton Code Of Ordinances Regarding General Policies And Guidelines.**

**\*28. Consider An Ordinance Adopting The North Central Texas Council Of Governments’ Regional Transportation Council’s Revised Clean Fleet Vehicle Policy.**

**\*29. Consider All Matters Incident And Related To The Issuance And Sale Of “City Of Carrollton, Texas, General Obligation Improvement And Refunding Bonds, Series 2015”, Including The Adoption Of An Ordinance Authorizing The Issuance Of Such Bonds, Establishing Parameters For The Sale And Issuance Of Such Bonds And Delegating Certain Matters To Authorized Representatives Of The City.**

#### **RESOLUTIONS**

**\*30. Consider A Resolution Authorizing The City Manager To Enter Into A Contract With Grant Thornton LLP For Independent Auditing Services In An Amount Not to Exceed \$107,197.00.**

**\*31. Consider A Resolution Authorizing The City Manager To Execute A Contract With KBA EnviroScience, Ltd. For The Installation And Sampling Of Permanent Groundwater Monitoring Wells At 1309 South Broadway In An Amount Not To Exceed \$13,750.00.**

#### **CONSENT AGENDA ITEMS PULLED FOR SEPARATE CONSIDERATION.**

**\*26. Consider An Ordinance Amending Title XI, Chapter 116, “Restaurants And Food Establishments”, To Allow Dogs On Food Establishment Patios, And Title III, Chapter 31, “Comprehensive Fee Ordinance”, Of The Carrollton Code Of Ordinances.**

Mayor Marchant introduced the item that would allow dogs on exterior patios.

**Councilmember Sutter moved that dogs be allowed in food establishments only in the TOD area.** She voiced her opinion stating that it makes sense to try the new concept of allowing dogs on patios of food establishments in the TOD area because of the urban nature of the area. **The motion was seconded by Councilmember Andonian.** He supported trying the concept before making it a city-wide option. Councilmember Babick spoke in favor of allowing dogs on patios

on a city-wide basis as published on the agenda. Councilmember Babick made a substitute motion to approve it as stated across the City; second by Councilmember Falconer. A lengthy discussion was held regarding various issues surrounding the proposed motions and allowing dogs in food establishment patios.

Mayor Marchant called the vote on the substitute motion to allow it city-wide and the motion failed with Councilmembers Hrbacek, Falconer and Babick in favor and Councilmembers Sutter, Wilder, Andonian and Garza opposed.

**Mayor Marchant called the vote on the original motion to allow it only in the TOD Districts.** Councilmember Hrbacek stated he would vote against the motion stressing that it doesn't mean that he doesn't want dogs in restaurants in the Transit center. **The motion was approved with a 6-1 vote, Councilmember Hrbacek opposed.**

## PUBLIC HEARING

**\*32. Hold A Public Hearing And Consider An Ordinance To Repeal And Re-Establish Special Use Permit 293 To Allow For An Increase In Height For An Existing Antenna Support Structure With Special Conditions; Amending Accordingly The Official Zoning Map. The Approximately 3.7-Acre Tract Is Located At 3065 North Josey Lane And Is Currently Zoned For The (LR-2) Local Retail District. Case No. 02-15SUP1 AT&T Cell Tower/Clinton Earnhart/SBA Communications. Case Coordinator: Christopher Barton.**

Christopher Barton, Chief Planner, stated the request was to replace an existing SUP for a cellular antenna monopole located at the southwest corner of Josey Lane and Frankford Road. The request would increase the height of the existing pole approximately 20 ft to allow the applicant to add additional carriers. Without the additional height, another antenna would be requested. He described enhanced landscaping that would occur. Staff received no comments from the public and he advised that the Planning Commission recommended unanimously in favor of the request.

Peter Kavanagh, 1620 Handley, Suite A, Dallas, representing Verizon Wireless advised that the antenna currently belongs to Sprint and explained that Verizon was requesting the 20 ft extension which would allow Verizon Wireless to be at the top of the pole and AT&T would be between Verizon and Sprint. He explained where the equipment would be placed and explained that there would be a total of three tiers of antenna like the one that was existing. He explained that allowing the T arms would allow for more carriers and more antennas in a lower profile. He guessed that flush mount antennas would require a 100 ft pole. Discussion was held about various types of antenna, locations and the need to get more data through to address customer need. Mayor Marchant felt the pole was detrimental to the view and the corridor and discussion was held with regard to aesthetics and alternative structures. Mr. Cavanaugh stated he does not see fewer or shorter poles in the future. He stated they would be agreeable to a six week continuation to allow them time to review options.

**Councilmember Falconer moved to continue the case to May 19; second by Councilmember Babick.**

Mayor Marchant announced that Councilmember Hrbacek removed himself from the meeting due to a conflict of interest as soon as it became apparent that Verizon was a party to the request.

**The motion was approved with a 6-0 vote, Councilmember Hrbacek abstained.**

Councilmember Hrbacek returned to the dais.

### **PUBLIC HEARING - INDIVIDUAL CONSIDERATION**

**33. Hold A Public Hearing And Consider An Ordinance To Rezone To Establish A Special Use Permit For A Child Daycare Center With Special Conditions On An Approximately 4.5-Acre Tract Located At 2760 East Trinity Mills Road; Amending Accordingly The Official Zoning Map. Case No. 01-15SUP1 University Kids/Tekisha Scott. Case Coordinator: Christopher Barton.**

Mr. Barton began the presentation with photographs of the location. He stated that initially the staff recommended denial was based on the historic practice of the City showing a clear preference for a natural turf play area and in this case, the applicant was proposing to use artificial turf at the rear of the facility for the play area. He noted that there was no State requirement for natural turf. The Planning Commission continued the case to allow the applicant to provide more information about the proposed play area. He advised that the applicant returned with a well organized and detailed proposal including a drawing showing how the area could be fenced and protected with steel bollards. At the second public hearing on the case, the Planning Commission recommended in favor of the case. He also advised that staff had not received any public opposition to the request. He stated that although staff recommended denial in the beginning, they probably would not have made that recommendation had they had the information now available.

Tekisha Scott, applicant, stated that with her background in education she proposed to provide quality daycare and prep the children to be on or above grade level. She requested that the hours of operation be 6:00 am to 12:00 midnight.

Mr. Barton explained that the hours of operation in the case report were in accordance with the applicant's initial request and stated staff had no opposition to the requested change.

With regard to the distance between the bollards, Ms. Scott stated she would be happy to adjust the distance as Council desired.

Mayor Marchant opened the public hearing. He noted that Elsie Thurman, 9406 Biscayne Blvd., Dallas, and Donal Thompson, 1419 US Hwy 67 North, Cedar Hill, submitted a card in favor but did not wish to speak. He invited speakers to the podium and being none, he closed the public hearing.

**Councilmember Sutter moved approval of Item 33 with the stipulation of having guard rails rather than bollards and that the hours of operation be from 6:00 a.m. to 12:00 midnight; second by Mayor Pro Tem Garza and the motion was approved with a unanimous 7-0 vote.**

**34. Hold A Public Hearing And Consider An Ordinance To Establish A Special Use Permit To Allow A Used Car Dealer With Special Conditions On An Approximately 1.3-Acre Tract Located At 2399 Midway Road; Amending Accordingly The Official Zoning Map. Case No. 03-155UP2 Texas Carz/Salah Nimer. Case Coordinator: Christopher Barton.**

Mr. Barton presented the case noting it was initially denied by the City Council in September 2014; however the City Council granted a waiver to the “one-year rule,” allowing the applicant to resubmit an application for reconsideration. On March 5, 2015 the Planning & Zoning Commission recommended approval with staff stipulations with a 7-2 vote. He reported there was no public opposition to the request. Staff added a stipulation that the driveway at Midway Road be removed based on the driveway spacing requirements.

Salah Nimer, applicant, began the presentation with a history of the business stating that it went from a one man operation in 2008 to a team of nine employees in 2015. He talked about the measures they took to address traffic flow concerns. Further, they would be willing to remove the driveway as stipulated by staff although they feel it may impact the business. He provided before and after photographs of the site. He stated there would not be any wrecked cars in the parking lot and requested approval.

Mayor Marchant opened the public hearing and invited speakers to the podium. There being no speakers, he closed the public hearing.

Deputy Mayor Pro Tem Wilder asked if he intended to use the parking lot for overnight storage. Mr. Nimer replied that it was the idea because there was not enough space on the inside. He added that he intends to park about half of the number of vehicles as he formerly parked. Mr. Barton clarified that the proposal would allow overnight storage. Mr. Nimer advised that they added lighting when they purchased the building so the parking lot would be well lit and there were cameras on the parking lot for security purposes. Further, he added that the entrance to the dealership was chained on both sides. The hours of operation were 8:00 a.m. to 7:00 p.m. In response to Councilmember Falconer, Mr. Nimer stated there were about 65 parking spaces and they park approximately 35 vehicles; a maximum of 40. He stated he would be okay with a stipulation on the maximum number allowed. He also stated that only one of the dock doors was active and as the budget allows, he would consider changing the façade of the other dock doors.

Councilmember Andonian asked the applicant if he would be willing to bring the outdoor lighting into compliance with City Code and Mr. Nimer replied affirmatively.

**Councilmember Babick moved approval of the case, Item 34 with an added stipulation allowing for a maximum of 45 vehicles for overnight storage subject to stipulation for lighting in accordance with City Code; second by Sutter. Deputy Mayor Pro Tem Wilder asked that the motion be amended to add a stipulation that the three garage bay doors to the left would be changed to the transparent paneling that was discussed. Councilmember Babick agreed to the amendment and Councilmember Sutter agreed to second.** Discussion about the time frame to make the garage bay door replacement and Mr. Nimer agreed that 90 days should be okay. Discussion was held with regard to adding a stipulation to increase the landscaping and Councilmember Falconer suggested five to seven ornamental trees. **Councilmember Babick voiced his agreement to amend the motion to include the additional**

**landscaping stipulation as did Councilmember Sutter. The motion was approved with a unanimous 7-0 vote.**

**35. Hold A Public Hearing And Consider An Ordinance To Rezone To Amend Planned Development District 124 To Remove An Approximately 36 Acre Tract And To Establish A New Planned Development District For The (MF-18) Multi-Family Residential, (O-2) Office And (LR-2) Local Retail Districts With Modified Development Standards. The Subject Tract Is Located On The South Side Of Hebron Parkway Between Huffines Boulevard And SH 121/Sam Rayburn Tollway. Case No. 03-15Z2 The Collection/Dimension Group. Case Coordinator: Christopher Barton.**

Mr. Barton presented the case and specifically noted the requirement that all driveways have a minimum of 75 ft internal storage which staff felt was a little onerous noting that it was not a standard that was applied anywhere else in the City. He also referred to the requirement that 40% of the façade be windows noting the problems it created and offered the stipulation that would allow up to half of the 40% to be fake or false windows meaning from the street, it would still look like a window for the architectural interest but would not function like a window. Lastly staff recommended deleting the requirement that front doors be recessed into the side of the building by a minimum of 5 ft. He further noted that staff deleted redundancies in the PD regulations where requirements were found in other parts of the ordinance or the City Code. He advised that notice was sent to all property owners as required and one card was returned by a property owner across the street to the north however the objection was for a different case.

Mayor Marchant opened the public hearing inviting speakers to the podium. There being no speakers, he closed the public hearing.

**Councilmember Babick moved approval of Item 35 as presented; second by Councilmember Falconer.**

Councilmember Sutter asked the applicant to address the fake or false window design. The applicant stated the main windows would consist of the drive through window and the transit window located directly above and the remaining 20% would be the false windows. He stated anything more than 20% would be false glazing. Councilmember Sutter voiced a desire to reduce the requirement to 20%. Mr. Barton stated staff had no objection to the reduction to 20%.

**Councilmember Babick agreed to amend his motion to reduce the glass requirement to 20% including the change in B2 design standard to strike the italicized portion regarding faux windows and Councilmember Falconer voiced agreement as well. The motion was approved with a unanimous 7-0 vote.**

**36. Hold A Public Hearing And Consider A Resolution For An Amendment To The Comprehensive Plan And The Future Land Use Map To Change An Approximately 3.4-Acre Site From Single-Family Residential Detached To Single-Family Residential Attached Uses Located In The Vicinity Of The Southwest Corner Of Frankford Road And McCoy Road. Case No. 03-15MD1 McCoy Villas Comprehensive Plan Amendment/Harlan Properties, Inc. Case Coordinator: Michael McCauley.**

**37. Hold A Public Hearing And Consider An Ordinance Amending PD-63 Changing The Zoning Of A Certain Tract From The (SF-12/20) Single-Family Residential District To The (SF-TH) Single-Family Townhouse Residential District With Special Development Standards; Amending Accordingly The Official Zoning Map. The Approximately 3.4-Acre Tract Is Located In The Vicinity Of The Southwest Corner Of Frankford Road And McCoy Road. Case No. 10-14Z3 McCoy Villas/Harlan Properties, Inc. Case Coordinator: Michael McCauley.**

Mayor Marchant advised that Items 36 and 37 would be heard simultaneously.

Michael McCauley, Senior Planner, stated the applicant would like to construct a single family townhouse development on the subject site consisting of 36 lots, one of which would be for the detention area. The applicant was requesting to amend the PD to allow the base zoning to change from Single Family 12/20 Residential to Single Family Townhouse Residential with modified development standards. The applicant requested a minimum lot of 2500 sq ft rather than 3500 sq ft; lot coverage to increase from 45% to 70%; minimum lot width to decrease from 35 ft to 25 ft; front entry garage; no alley; and as part of the plat application, staff would require a relocation of the ingress/egress easement off of McCoy Road as well as relocation of the utility easement. Staff recommended that the easement be on the north side of the development to relieve congestion from Joy Drive. He referred to a revised zoning exhibit where Rainwater Court (formerly Joy Drive) would have visitors parking on the west end of the cul-d-sac as well as on the northwestern part of the site. Mr. McCauley provided photos of the Shoal Creek development to illustrate the product proposed by the developer and other townhouse developments with smaller lots most of which included alleys. He reported receiving four comment cards in opposition to the request and one in support of the request. Lastly he advised that the Planning Commission recommended approval of the request with stipulations.

Jim Dewy, JDJR Engineering, 2500 Texas Drive, Irving, stated he represented Harlan Properties and Sumeer Homes. He advised that Sumeer Homes had been building homes in the DFW market for 30 years. He stated the proposed townhouses would average \$250,000 and some would be around \$300,000. He stated the project would replace the driveway with a public street. He read a couple of excerpts from the traffic study as well as the conclusion and stated he did not feel there would be a problem. He addressed each of the elements to consider listed in the staff report and specifically stated that based on the traffic study, they feel that staff's requirement for a separate easement and driveway (second point of access) was completely unnecessary. He stated the applicant was not providing a transitional buffer because it was not required in the Code and further felt there was no point in constructing a buffer next to an alley. He explained why the developer felt front entry homes were a better product. He advised that the developer met with the HOA to the south who stated they did not want the developer to use the alley and was another reason why the developer proposed no alleys.

Mayor Marchant noted the combination of skinnier lots and no alley and stated an issue of concern was where the utilities would be placed. Mr. Dewy used a picture of Shoal Creek in Garland stating it was the exact product with the same amount of green space and setback that was proposed and there would be no issue with utility placement. He stated the gas meter was usually placed next to the unit and hidden by shrubs. With regard to trash cans, he stated the cans would not be allowed to anywhere in the front area and would have to be stored out of site. Also, there would be a stipulation that vehicles must be parked in the garage. With regard to

guest parking, he stated there were nine spaces available on the street and there would also be 10 off-street parking spaces at the end of the cul-d-sac. Councilmember Falconer stated he felt townhomes was an appropriate choice for the area and had an inherent disagreement on front entry versus alley. He noted although Palisades HOA did not want to share the alley, it was a public alley available for use and the second alley would be single loaded and would not need to be as wide. He voiced his preference for the rear entry and felt the developer could have the same buildable area for the neighborhood. He felt the rear entry product was more sustainable than front entry and suggested a possible further reduction in setbacks to accommodate the alleys.

Mayor Marchant opened the public hearing.

**The following individuals submitted a card in opposition but did not wish to speak:**

Raye Achilli, 1602 Mission Ridge Trail, Carrollton  
J Watson, PO Box 111265, Carrollton

**The following individuals submitted a card in support but did not wish to speak:**

Cliff Erickson, 1737 Delaford Drive, Carrollton  
Stephanie Johnson, 1100 Magnolia Dr., Carrollton  
Kathy Joiner, 3257 Northview Dr., Carrollton  
Sean Flynn, 1734 Bluffview Dr., Carrollton  
Lori Vriend, 1366 Dogwood Trail, Lewisville  
Jan Erickson, 1737 Delaford Dr., Carrollton  
MaryRose Anderson, 4636 N. Josey #1926, Carrollton  
Steve & Lyn Hau, 3617 Field Stone, Carrollton  
Steve and Julie Walker, 6423 Garlinghouse, Dallas  
Joe & Ellie Wakeman, 2109 Pueblo Dr., Carrollton  
Heather Erickson, 1737 Delaford Dr., Carrollton (36 only)  
Ana and Dan Belville, 3813 Branch Hollow Circle, Carrollton

**The following individuals spoke in support of the request:**

Coby & Shari Sparks, 2357 Highlands Creek Rd, Carrollton  
David Johnson, 1100 Magnolia Drive, Carrollton  
Gabe & Frances Cruz, 2909 Panorama Drive, Carrollton  
Randall Chrisman, 1501 Broken Bow Trail, Carrollton  
Mark Mohrweis, 1533 Brighton Dr, Carrollton  
Marcia Seebachan, 2019 Stefani Court, Carrollton  
Gene Burks, 3704 Standridge, Carrollton

Tracey Ramsey, 2927 Miawood, Carrollton, did not speak opposed or in support but voiced concern about school traffic and the traffic study results.

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

Councilmember Hrbacek stated he was concerned about traffic congestion. He stated he would have like to hear more about the product and felt a rear entry development would be better. He suggested that the item be tabled to the May 5<sup>th</sup> meeting.

**Councilmember Hrbacek moved to continue the case to the May 5, 2015 meeting; second by Councilmember Falconer.**

Mr. Dewy stated he clearly understands what Councilmember Falconer proposed including reduction of setbacks and felt it showed a willingness on the part of the Council to make the development work. However, the developer has constructed the product in other areas and did not want to change to a rear entry product.

Councilmember Babick asked if there was a way to put the necessary utilities at the back of the houses along the church property. Mr. Dewy stated they would be willing to dedicate easements to put the utilities at the back (north) of the property and voiced concern with Oncor. He stated that he understood the concern about the utilities, but didn't feel it would be a problem but there would be utility boxes in the front of the homes.

Councilmember Sutter supported the front entry design and felt there would be fewer vehicles on the street with the front entry product and referred to the tenured development on Keller Springs Road.

Councilmember Andonian voiced concern with not having a valid drawing of what the product would look like and Mr. Dewy referred to the photographs of Shoal Creek and stated it would be essentially the same.

Councilmember Falconer talked about the safety of children walking on the sidewalk to get to the school with vehicles backing out of the drive and felt that was another reason for the product to be a rear entry product. He voiced concern about the sustainability of the neighborhood as a front entry product.

Mayor Pro Tem Garza felt it would be a quality product due to the expected price range and noted there would be traffic concern and congested.

Mayor Marchant voiced an idea that would involve a little bit of rear entry product. He felt that both sides being front entry with the skinny lots means a lot of pavement. He suggested that the southern side of the site would be rear entry using the existing alley with a 20 ft front building setback to capture green space in the back yards along with the restrictions requiring vehicles to be parked in the garage as well as storage of the trash cans.

There being no further discussion, Mayor Marchant called the question. **The motion to continue the case to May 5 was approved with a 4-3 vote, Councilmembers Wilder, Sutter and Babick opposed.**

Mayor Marchant provided direction to staff to look at alternatives to address the front entry and utility issues as well as obtain a rendering of the product.

Mayor Marchant adjourned the Regular Session at 10:50 p.m. to convene in Worksession and Executive Session.

**\*\*\*EXECUTIVE SESSION\*\*\***

2. Council convened in **Executive Session** at 10:58 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.
  - Hamrla, et al v. City
  - Camelot Landfill Application

Council recessed the Executive Session and reconvened in open session at 11:06 p.m. to convene the Worksession.

**\*\*\*WORKSESSION\*\*\***

Mayor Marchant called the Worksession to order at 11:09 p.m.

4. Discuss **New Police Headquarters Facility.**

Cesar Molina, City Engineer, introduced the team that had been working on the design of the facility; Andrew Combs, Phil Calson, and Chief Rex Redden. He stated they were ready to move to the formal final design phase. Mr. Combs reminded the Council that the three primary items of consideration were space, safety and the third had to do with physical deterioration. He referred to various challenges and the cross section of employees from the Police Department. Mr. Calson stated the plan was to totally gut part of the existing building, completely renovate the interior and systems, and talked about the design of the building as well as the parking and entry to the facility. With regard to previous discussion about using Jamestown for parking, Mr. Combs stated that they were able to meet Code and satisfy police vehicles on site, but the intent was to erect a fence around the parking on Jamestown with Oncor's approval. Mr. Calson used a color coded plan to describe the various aspects of the facility and talked about circulation. He reviewed a rendering of the concept of the design and elevation of the building. Lastly he talked about the desire to get the Construction Manager At Risk on board to get further input on construction costs. Mr. Combs stated that with Council's direction to proceed, they would move forward with the plan as the basis for design and with bringing the CMAR on board. Chief Redden voiced his feeling that the department was in good shape with what was inside the building. The thing he'd like to see was a covered area for the officers as they gather all of their things and check equipment and vehicle. He stated they were working on that. Another thing was some sort of secured parking for the people working during the dark hours. Mayor Marchant noted a consensus to move forward.

5. Discuss **The Solid Waste RFP Committee's Recommendations.**

Lon Fairless, IT Director, stated the Committee has reviewed the responses to the Solid Waste RFP. Mayor Marchant went through each recommendation and requested feedback from Council: ask for best and final on both weekly and biweekly recycling pickup; and agreed with remaining recommendations. Mr. Fairless explained that the item would be brought back to Council as soon as the responses were provided, probably within the next month.

**6. Discuss Update On Landfill Expansion Process.**

Mayor Marchant stated the update would be provided at the next meeting.

**7. Discuss Request To Name A Street After The Rainwater Family.**

Leonard Martin advised that he spoke with the Rainwater Family members about naming changing Joy Drive to Rainwater Court, but the Family stated they would really prefer renaming Jamestown to Rainwater because of the history of the family working in the area. The history of the Jamestown name was unknown and no objections were raised about the change.

**8. Mayor and Council reports and information sharing.**

This item was not discussed.

Mayor Marchant adjourned the Worksession at 12:32 a.m. to convene in Executive Session.

**\*\*\*EXECUTIVE SESSION\*\*\***

**2. Council reconvened in Executive Session at 12:32 a.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.
  - Hamrla, et al v. City
  - Camelot Landfill Application

**3. Council reconvened in open session at 1:23 a.m.** to consider action, if any, on matters discussed in the Executive Session. No action taken.

**ADJOURNMENT**

Mayor Marchant adjourned the meeting at 1:23 a.m.

ATTEST:

\_\_\_\_\_  
Krystle Nelinson, City Secretary

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Matthew Marchant, Mayor