

**CARROLLTON CITY COUNCIL  
REGULAR WORKSESSION AND MEETING  
FEBRUARY 2, 2016**

The City Council of the City of Carrollton, Texas convened in a Regular Worksession and Meeting on Tuesday, February 2, 2016 at 5:45 p.m. with the following members present; Mayor Matthew Marchant, Mayor Pro Tem Anthony Wilder, Councilmembers Bob Garza, Steve Babick, John Sutter, James Lawrence and Glen Blanscet. Deputy Mayor Pro Tem Doug Hrbacek was absent. 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 Laurie Garber.

**5:45 P.M. – COUNCIL BRIEFING ROOM**

**\*\*\*PRE-MEETING/EXECUTIVE SESSION\*\*\***

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

1. **Receive information and discuss Consent Agenda.**
  
5. **Discuss Possible Annexation Of An Approximately 4.5-Acre Tract Located On The West Side Of Charles Street Between Plano Parkway And Hebron Parkway.**

Mayor Marchant introduced the item advising that staff received an inquiry from St. Sarkis Armenian Church regarding the possibility of having the proposed site of their new church annexed into the City of Carrollton. Their plans are to move from their existing Carrollton location at 1805 Random Road. No objections were raised and direction was given to proceed.

Mayor Marchant recessed the Worksession at 7:01 pm to convene the Regular Meeting.

**\*\*\*REGULAR MEETING\*\*\***

Mayor Marchant called the Regular Meeting to order at 7:09 p.m.

**INVOCATION – Mayor Matthew Marchant**

**PLEDGE OF ALLEGIANCE – Councilmember James Lawrence**

**PRESENTATIONS**

8. **Present 30 Year Service Awards To Apparatus Operator Bill Gallina, Apparatus Operator Troy Smith, Captain Dan Lesslie, Battalion Chief Scott Tittle, And Assistant Chief Gregg Salmi.**

**PUBLIC FORUM**

9. **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.

Mayor Marchant noted that he received speaker cards for Item 29 and invited those speakers to the podium.

David Tirche, Executive Minister at the Branch Church, stated he submitted the card in case the Council had any questions regarding the item.

Peter Brody stated he also wanted to speak if the item was pulled from the Consent Agenda.

### **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 Item 17 was removed from the agenda and would not be consider; Items 20, 30 - 32 was being pulled for separate vote and Item 37 would be considered on its own.

**Councilmember Blanscet moved approval of Consent Agenda Items 10-16, 18, 19 and 21 - 29; second by Councilmember Lawrence and the motion was approved with a unanimous 6-0 vote.**

### **MINUTES**

**\*10. Consider Approval Of The January 19, 2016 Regular Meeting Minutes.**

### **BIDS & PURCHASES**

**\*11. Consider Approval Of The Replacement Of Perry Playground By Webuildfun.inc Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$126,328.**

**\*12. Consider Approval For The Purchase Of One Shade Structure For Thomas Baseball Complex From Site Source Inc. Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$110,528.**

**\*13. Consider Approval To Add A Playground To Josey Ranch Softball Complex By Webuildfun.inc Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$60,000.**

**\*14. Consider Approval Of RFP #15-036 For The Remodeling Of City Hall Restrooms For The Facilities Department From SDB Contracting Services In An Amount Not To Exceed \$373,077.00.**

**\*15. Consider Approval Of The Purchase Of Five HVAC Replacements For The Facility Services Department From Trane Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$100,645.00.**

**\*16. Consider Approval Of The Purchase Of A Frazer, Inc. Ambulance From Dallas Dodge Through An Interlocal Agreement With BuyBoard In An Amount Not To Exceed \$264,023.00.**

~~**\*17. Consider Approval Of A 48 Month Lease For 160 Gasoline Golf Carts, Two (2) Beverage Cars, Two (2) Utility Vehicles, And One (1) Range Picker Through An Inter Local Agreement With BuyBoard In An Amount Not To Exceed \$135,000 Annually.**~~

**\*18. Consider Approval For Purchase Of “Better Billy Bunker” System To Renovate All Bunkers On The Lakes And Creek Courses By XGD Systems In An Amount Not To Exceed \$465,000.**

**\*19. Consider Approval Of The Repair And Replacement Of Concrete Cart Paths At Indian Creek Golf Course By Multiple Vendors In An Amount Not To Exceed \$45,000.**

**CONTRACTS & AGREEMENTS**

~~**\*20. Consider Authorizing The City Manager To Approve A Contract With Casteel & Associates, Inc. For The Construction Of A Monument Sign With Electronic Message Display In An Amount Not To Exceed \$80,457.00.**~~

**\*21. Consider Authorizing The City Manager To Reject All Bids Received For The Carrollton Downtown Trail, Phase IIB Project.**

**\*22. Consider Authorizing The City Manager To Approve A Professional Services Contract With Binkley & Barfield - C&P, Inc. For Engineering Design Services For The Main/Fourth Street And Crowley Circle Reconstruction Project In An Amount Not To Exceed \$132,700.00.**

**\*23. Consider Authorizing The City Manager To Approve A Contract With Dake Construction For The Frankford Road Lift Station Rehabilitation Project In An Amount Not To Exceed \$442,250.00.**

**\*24. Consider Authorizing The City Manager To Approve A Contract With 3D Paving & Contracting For The Alley Replacement 2015 Project In An Amount Not To Exceed \$1,949,787.50.**

**ORDINANCE**

**\*25. Consider An Ordinance Renewing Title XIII, Chapter 130, Section 130.19 Of The Carrollton Code Of Ordinances Regarding Curfew Hours For Minors.**

**\*26. Consider An Ordinance Amending The Operating And Capital Budget For The Fiscal Year October 1, 2015 Through September 30, 2016.**

**RESOLUTIONS**

**\*27. Consider A Resolution Affirming The Action Of The City Of Carrollton's Tax Increment Reinvestment Zone Number One Board Of Directors Which Recommends Expenditure Of TIRZ Funds For Downtown Carrollton IH-35E Construction Mitigation.**

**\*28. Consider A Resolution Finding a Public Need and Necessity for the Acquisition of Certain Property Rights from Kansas City Southern Railroad; Authorizing The Execution Of Documents For The Acquisition Of Those Property Rights Necessary For A Public Access Easement For The Construction Of A Pedestrian Walkway To Cross A Portion Of The Kansas City Southern Railroad Right-Of-Way Located In The City Of Carrollton; Declaring The Public Need And Necessity; Authorizing The City Manager To Execute Documents And Take All Necessary Action For The Acquisition Of A Public Access Easement For Public Purposes; Authorizing The City Manager To Establish Just Compensation For The Property Rights To Be Acquired; And Authorizing The City Attorney To Use Eminent Domain To Condemn Property And Take All Steps Necessary To Acquire The Needed Property Rights; And Providing An Effective Date.**

**PUBLIC HEARING-CONSENT AGENDA**

**\*29. Hold A Public Hearing And Consider An Ordinance To Amend The Zoning And Establish A Special Use Permit For A Private School, Alternate Fencing Materials And Athletic Field Lighting With Special Conditions On A 16-Acre Tract Zoned (SF-7/16) Single-Family Residential District And Located At 3601 Huffines Boulevard; Amending The Official Zoning Map Accordingly. Case No. 01-16SUP1 The Branch Church. Case Coordinator: Michael McCauley.**

~~**\*30. Hold A Public Hearing And Consider An Ordinance To Amend The Zoning On An Approximately 40.5-Acre Tract Located At The Southwest Corner Of Sandy Lake Road And The President George Bush Turnpike And Zoned PD-141 For The (SF-12/20) Single Family Residential District, To Amend Said Planned Development District To Allow For Retail Uses With Modified Development Standards, Amending The Official Zoning Map Accordingly. Case No. 01-16Z1 Blue Sky Development. Case Coordinator: Christopher Barton.**~~

~~**\*31. Hold A Public Hearing And Consider An Ordinance To Amend The Zoning And Establish A Special Use Permit For An Indoor Gun Range On An Approximately 1.7-Acre Tract Zoned For The (LI) Light Industrial District And Located At 2317 Midway Road And Amending The Official Zoning Map Accordingly. Case No. 01-16SUP3 Texas Legends Gun Range. Case Coordinator: Christopher Barton.**~~

~~**\*32. Hold A Public Hearing And Consider An Ordinance To Amend The Zoning On An Approximately 10.9-Acre Site Located At The Southeast Corner Of Old Denton Road and Frankford Road To Amend Planned Development 63 For The (LR-2) Local Retail District**~~

~~To Allow Additional Outdoor Display And Amending The Official Zoning Map Accordingly. Case No. 11-15Z4 Ace Hardware Outdoor Display. Case Coordinator: Christopher Barton.~~

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

**\*20. Consider Authorizing The City Manager To Approve A Contract With Casteel & Associates, Inc. For The Construction Of A Monument Sign With Electronic Message Display In An Amount Not To Exceed \$80,457.00.**

**Councilmember Babick moved approval of Item 20 as stated; second by Councilmember Sutter.**

Mayor Pro Tem Wilder requested that the Council consider rejecting the bids and rebidding the item in about six months with the hopes that the market would provide more bidders noting only one bid was submitted for the project and the costs was 33% more than the budgeted amount. Councilmember Babick noted that the intent of the sign was to engage the community and he stated he was in favor of moving forward. Councilmember Lawrence voiced concern regarding the proposed location feeling it would be a distraction at an already busy location. Councilmember Blanscet stated he was in favor of the sign and also agreed with Mayor Pro Tem Wilder with regard to rebidding the item.

**The vote on the motion was Councilmembers Garza, Babick and Sutter in favor and Councilmembers Lawrence, Wilder and Blanscet in opposition requiring a vote by Mayor Marchant who voted against the motion.** The motion failed.

Mayor Marchant stated the item would be considered again in about six months.

**\*30. Hold A Public Hearing And Consider An Ordinance To Amend The Zoning On An Approximately 40.5-Acre Tract Located At The Southwest Corner Of Sandy Lake Road And The President George Bush Turnpike And Zoned PD-141 For The (SF-12/20) Single Family Residential District, To Amend Said Planned Development District To Allow For Retail Uses With Modified Development Standards, Amending The Official Zoning Map Accordingly. Case No. 01-16Z1 Blue Sky Development. Case Coordinator: Christopher Barton.**

Christopher Barton, Chief Planner, advised that the tract of land was currently owned by the City of Carrollton. Staff received a proposal from a private sports field developer to use a large portion of the property. The change to LR-2 Local Retail would allow the use of the sports facility and allow for conventional retail development along Sandy Lake Road. The applicant's proposal was to build a 55,000 sq ft building with indoor practice facilities using concrete tilt wall construction which is not allowed in the LR-2 district. The retail area would meet the brick and stone requirements. He reported that the Planning & Zoning Commission recommended in favor with a unanimous vote and stated staff had not received any opposition to the proposal. He referred to the upgraded conceptual landscape plan as required by the Commission.

Councilmember Garza asked about the reasoning regarding tilt wall and Mr. Barton stated the restriction was implemented many years ago and he believed that prior councils felt concrete tilt

wall was more suited for an industrial area. He also noted that most walls now have a better appearance.

Mayor Marchant referred to the blue vertical stripes in the conceptual elevations and asked about the material. Mr. Brody felt the blue was the architect's attempt to show dimension and stated it would all be cement. He also noted that it would have a standing seam roof. Mayor Marchant asked if there would be any exposed metal on the façade of the structure and Mr. Brody replied there would be no exposed metal on the façade. Mayor Marchant asked the Council to add a stipulation to prohibit exposed metal on the envelope of the building.

Councilmember Sutter asked about the tan area and Mr. Brody stated the tan would be brick and referred to the photograph of the building in Allen.

Councilmember Blanscet stated the material list on the conceptual elevation identifies the blue as being metal and a metal roof and asked for clarification. Mr. Brody felt the architect was referring to the roof only again stating there was no metal except for the roof. Mr. Brody stated any reference to metal on conceptual elevation for any façade except the roof as stated by Councilmember Blanscet was a mistake because there would be no metal.

**Councilmember Sutter moved approval of Item 30; the ordinance to amend the zoning on the land as discussed and that looking at the schematics that the vertical areas will be concrete tilt wall rather than any type of metal material; that the use of metal would be restricted to the roof, downspouts and trim identified as such; second by Councilmember Garza.**

Mayor Marchant opened the public hearing; there being no speakers, he closed the public hearing.

**The motion was approved with a unanimous 6-0 vote.**

**\*31. Hold A Public Hearing And Consider An Ordinance To Amend The Zoning And Establish A Special Use Permit For An Indoor Gun Range On An Approximately 1.7-Acre Tract Zoned For The (LI) Light Industrial District And Located At 2317 Midway Road And Amending The Official Zoning Map Accordingly. Case No. 01-16SUP3 Texas Legends Gun Range. Case Coordinator: Christopher Barton.**

Christopher Barton presented the case stating that the applicant proposed to remodel the interior of the building; to replace the rooftop equipment; screen the rooftop equipment; reconstruct the asphalt parking lot to meet current standards; and install landscaping along Midway Road to meet the City's requirements. He advised that the Planning & Zoning Commission recommended in favor of the request unanimously and that staff had not received any public comment or opposition.

Councilmember Blanscet asked if the existing lighting meets the current glare ordinance. Mr. Barton stated they had not specifically talked about the parking lot light but it should be added to the parking lot rehabilitation.

Gregory Taggart stated he was the Director of Education and Training for Texas Legends Gun Range as well as the Development Manager. Mr. Taggart stated he would forego the presentation and just answer questions unless the Council wanted to hear the presentation.

Councilmember Sutter asked the applicant to address the air handler with regard to lead going into the atmosphere. Mr. Taggart explained that in a modern, properly designed gun range outside air would be blown through the range to the bullet trap where the air goes through a series of filters including a HEPA filter that filters to three microns removing lead particulates as well as combustion byproducts; tiny unburned pieces of powder. The bulk of the air is then re-circulated through the range having been completely cleaned. He stated they would exhaust 20% of that air to the atmosphere and pull 20% fresh air in. He stated they would comply with Federal standards promulgated by OSHA and NIOSH and the NRA range design standards. Councilmember Sutter also asked about sound. Mr. Taggart stated the building starts with 8" thick concrete walls and stated that basically they would be building concrete boxes in the building and explained in detail the construction of the facility to prevent and control noise. He stated they would comply with the City's noise ordinance and would not exceed common background noise.

Councilmember Garza asked if someone next to the building could hear the noise and Mr. Taggart replied there would not be noise beyond what one would expect in an industrial area. He noted that the closest business was a Service King Auto Body Shop. He further stated the users would be a wide range of people from recreational users to law enforcement and would include men and women. He explained that the gun ranges would be controlled by Range Safety Officers.

Councilmember Blanscet asked about the requirements or status of a firearm by people entering the range. Mr. Taggart stated they would require a firearm to be securely holstered, properly concealed or in a case. With regard to lighting, Mr. Taggart stated the existing light would be removed and the intent was to install a modern lighting array in compliance with the glare ordinance noting the need for the parking lot to be secure.

Councilmember Babick asked if it would be a member's only club and Mr. Taggart replied that they would have a membership program but the range would be open to the public. The nearest gun ranges were DFW Gun Range on Mockingbird Lane near Love Field, Frisco Gun Club and the Lewisville gun range. He referred to the information in the packet with regard to economic impact and demographics on the growth of the shooting industry. Councilmember Babick asked the applicant to describe the programs that would be offered and Mr. Taggart stated the facility would be family friendly with large lounge areas.

Mayor Marchant opened the public hearing and invited speakers to address the Council.

Tom Mayfield, 1805 Glengarry Drive, stated he was an avid 2<sup>nd</sup> Amendment supporter. He spoke in favor of the range for proximity purposes for himself; for access to officers needing training; and because of the honest character of the applicant.

Antonia Okafor, 1900 Vera Cruz Drive, Carrollton, spoke in favor of the request stating she was currently working to obtain her License-to-Carry permit. She spoke about the importance of people being properly trained and felt it would be a great benefit to the community.

Al Overholt, 2216 Ridgewood, stated he is a mechanical engineer working for a Carrollton heating and air conditioning company designing roof top air conditioning systems. He stated that one of the worst abuses of roof top air condition systems was either not putting the air filters in or not maintaining the filters. He voiced concern about the City's authority if things aren't taken care of properly, specifically addressing lead levels. He voiced concern about the ability of the City to pull the SUP if the business is not properly conducting back ground checks on people purchasing guns.

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

Mayor Marchant referred to the National Institute for Personal Safety and Health and specifically asked the applicant who would be responsible for testing the air. Mr. Taggart replied that they would be responsible for testing the air and stated that they must comply with TCEQ regulations meaning the State and City can test air output. With regard to background checks, Mr. Taggart stated a person is not required to have a license to purchase a gun and addressed the purchase process. Mayor Marchant asked about landscaping around the large transformer box and Mr. Taggart stated they do have to provide access to the box but they would do their best to hide it.

Mayor Pro Tem Wilder asked about a landscape plan and Mr. Barton responded that it would be treated as though it were a new building so the applicant would be required to meet the minimum standards. Mr. Taggart stated they were prepared to meet the ordinance requirements.

Councilmember Garza asked about the hours of operation and Mr. Taggart replied that the plan would probably be 10:00am – 10:00pm, six days a week and possible 10:00am-6:00pm or 7:00pm on Sunday; adding that the hours may need to be tweaked depending on demand. With regard to background checks, he explained that they use the National Instant Check Center (NICC) which is run by the FBI and is available approximately 20 hours day; 7 days a week.

**Mayor Pro Tem Wilder moved approval with one additional stipulation as addressed by Mayor Marchant to enhance landscaping as possible with TXU or whoever the utility entity is for the transformer box; second by Sutter.**

Councilmember Sutter stated he is a user of gun ranges and enjoys taking his grandson. He spoke about the importance of learning gun usage and safety in a controlled environment and urged the Council to approve the request. Councilmember Blanscet stated he was excited to have the range in Carrollton and felt it was a good location. Councilmember Babick echoed the comments and noted the growing demand. Mayor Pro Tem Wilder stated he was encouraged with the application, addressed the meaning of the 2<sup>nd</sup> Amendment and felt it was in a great location.

**The motion was approved with a unanimous 6-0 vote.**

**\*32. Hold A Public Hearing And Consider An Ordinance To Amend The Zoning On An Approximately 10.9-Acre Site Located At The Southeast Corner Of Old Denton Road and Frankford Road To Amend Planned Development 63 For The (LR-2) Local Retail District To Allow Additional Outdoor Display And Amending The Official Zoning Map Accordingly. Case No. 11-15Z4 Ace Hardware Outdoor Display. Case Coordinator: Christopher Barton.**



Christopher Barton presented the case noting that the ACE Hardware Store would be located roughly in the northern half of the building that was previously occupied by Kroger. He explained the amendment would allow an increased amount of outdoor display as required by the user. The outdoor display would be in two locations; in the front parking lot and behind the building. The area behind the building would be for larger quantities of typical outdoor items such as mulch. He provided a photo of the black metal fencing which would be bolted into the pavement and could be removed if necessary. He advised that staff received one card in opposition to the request and two in favor. He further advised that the Planning & Zoning Commission recommended in favor of the request.

Mayor Pro Tem Wilder asked if the storage in the back would be fenced on four sides due to the storage of fertilizer and Mr. Barton replied his understanding was it would be fenced on three sides only.

Mayor Marchant opened the public hearing and there being no speakers, he closed the public hearing.

Mayor Pro Tem Wilder explained he was asking about the fencing for security purposes rather than blocking the view. Present on behalf of the applicant was Caleb Hill, owner of the shopping center, and Sarah Smith, Westlake ACE Hardware, current manager of the ACE store in Colleyville. Ms. Smith explained that fertilizer is typically carried inside the store to insure it doesn't get wet with outside storage containing various mulches, garden soils, potting soils, and live plants. The storage at the back of the store would be for purchases of larger quantities such as needed by contractors.

Councilmember Garza asked if there would be an attendant at the back storage area. Ms. Smith stated there would not be an attendant in the back 100% of the time but all attendants would have ear-pieces to call for assistance with loading. The standard operating hours are 8:00 am – 9:00 pm, Monday-Saturday and 9:00am – 6:00pm on Sunday. Councilmember Garza also asked about lighting at the back of the building and Mr. Hill responded that the building currently has lighting and it would not change.

Councilmember Sutter asked about the type of fencing proposed for the rear storage. Mr. Hill stated they would be okay with wood or faux wood and stated a preference for a solid cedar fence.

Councilmember Lawrence asked about traffic flow for the rear storage. Mr. Barton stated that staff didn't note any concern about traffic.

Councilmember Babick asked about securing the outside storage. Ms. Smith replied that the pallets that are enclosed are wrapped in shrink wrap. She also noted that she rarely experiences theft of outside merchandise.

Mayor Pro Tem Wilder asked about the light glare on the rear of the building and Mr. Hill stated that they would be happy to comply with the request if they can find a light fixture that is styled that way.

**Mayor Pro Tem Wilder moved approval as proposed with an additional stipulation that the lighting on the south façade on the back side of the building be in compliance with the Glare Ordinance of the City; second by Councilmember Blanscet and the motion was approved with a unanimous 6-0 vote.**

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

**33. Hold A Public Hearing And Consider An Ordinance To Amend The Zoning And Establish A Special Use Permit For A Used Car and Boat Dealership To Allow Outdoor Display With Special Conditions On A 1.25-Acre Tract Zoned (LI) Light Industrial District And Located At 3231 Commander Drive; Amending The Official Zoning Map Accordingly. Case No. 01-16SUP2 Legend Marine Group. Case Coordinator: Michael McCauley**

Senior Planner Mike McCauley presented the request to allow outdoor display of new and used boats and vehicles. Staff received one notice in opposition and seven in support of the request. He described the industrial complex with buildings designed for warehousing and distribution. The request is to add the outdoor display. He advised that the Planning & Zoning Commission recommended in favor of the request.

Councilmember Blanscet asked if there had been enforcement action against the applicant and Mr. McCauley replied that staff had no record of any enforcement action.

Mayor Marchant opened the public hearing and there being no speakers, he closed the public hearing.

With regard to the view, Mr. McCauley stated it was softened by the fact that the boats and vehicles would be on the western most portion of the lot and by existing vegetation.

Greg Connell, owner of the Legend Marine Group, did not give a formal presentation but was available to answer questions.

Councilmember Blanscet asked how essential the outdoor display of the boats was to the business. Mr. Connell provided the 10 year history of his business in Carrollton on Forms Drive and explained the desire to be near the Addison airport for ease of access to his customers. He also explained that he didn't know outside display was prohibited until he received his Certificate of Occupancy. He stated that he needs outdoor display because he can't always fit everything inside. The price point on the pre owned vehicles ranged from \$15,000 - \$35,000 and all vehicles meet certified standards. There could be four or five boats parked outside with a majority of the boats being approximately 50' long.

Councilmember Sutter asked about used boats. Mr. Connell explained that his pre owned boats have an average beginning price of about \$250,000 and he didn't feel it would be distracting to the public.

Councilmember Garza asked about parking the boats. Mr. Connell talked about the length of the boats and the distance to the curbs and he also stated there were sufficient parking spaces for the

boats and vehicles. He clarified that he would offer new and used boats as well as used vehicles for sale.

**Mayor Pro Tem Wilder moved approval of the request; second by Councilmember Lawrence and the motion was approved with a unanimous 6-0 vote.**

**34. Hold A Public Hearing And Consider An Alternate Façade Material For A Retaining Wall On An Approximately 6.3-Acre Tract Located At 1201 Raiford Road And Zoned PD-189 For The (O-4) Office District. Case No. 10-15MD1 Raiford Hotel (Alternate Façade). Case Coordinator: Christopher Barton**

Mayor Marchant presented the item noting that the applicant provided examples of two styles of the proposed material. He advised that the Planning & Zoning Commission did not make a recommendation regarding the request to use an alternate façade rather than natural stone.

Sanjay Naik, Lowen Hospitality, 1920 Enchanted Way, Ste 200, Grapevine stressed that they understand the importance of the product to be used for the main entrance to the hotel. He asked the stone manufacturer to talk about the proposed product.

Ken Morrison, Founder and President of Stonecoat, explained that the product was an age old process of hydraulic limestone mixed with a proprietary formula. He stated the product is being used nationwide. He talked about the businesses and entities he works with stating the proposed façade was the new product for stone. He stated it is a way to change the exterior façade without compromising the architectural guide specifications for stone. He stated it is not a fake cementitious veneer; it is 95%-96% pure limestone. The geological rating on the product is 95-96% pure limestone as listed in the MSDS / SDS sheet. He provided examples of the product and stated any kind of look or style can be done with the product.

Mayor Marchant stated one of the appeals of natural stone is he knows what natural stone will look like in 40 years. Mr. Morrison stated the product would wear like limestone. He stated the product would react and breathe like normal stone.

Mayor Pro Tem Wilder asked if the product could be made to look like Oklahoma flagstone and Mr. Naik stated they prefer the limestone look but were open to the Oklahoma flagstone. He talked about the desire to match the entrance to the second hotel. He noted that the proposed product could be resurfaced if needed but with natural stone there was no guarantee; there would be maintenance issues and cracking. He reiterated that they were open to any design but would like to use the Stonecoat product. The hotel would be 90% brick. Mayor Pro Tem Wilder stated he has seen the news coverage of the product and had visited the Adriatica. He stated he likes the product for the same reasons mentioned by Mr. Naik regarding maintenance.

Councilmember Babick asked about the bonding to the wall. Mr. Morrison stated the product has a natural bonding agent and the formula is basically all natural. He stressed that there is no gap between the concrete wall and the blown on limestone product, and he stated that it would wick and breathe out just like limestone would. Councilmember Babick asked if Marriott had vetted the product from an imaging standpoint and Mr. Naik replied affirmatively.

Mayor Marchant opened to floor for discussion with regard to the coloring of the wall or type of stone aesthetic. Mr. Barton stated the intent of the Raiford Overlay District was to have a consistent look from one end of Raiford Road to the other end of McArthur. Councilmember Babick felt the Council should consider the fit for Raiford Road as well as the remainder of the City.

Glen Greggs, Architect, suggested breaking up the look by bringing in the flagstone look on a smaller scale to match some of the other walls and use the Austin chalk from the water table up; then create the panel and cornice piece.

Mayor Marchant opened the public hearing and there being no speakers, he closed the public hearing.

Further discussion was held regarding the type and color stone.

**Mayor Pro Tem Wilder moved approval of the alternate material known as calcium carbonate by Stone Coat Manufacturing and that the design would be natural earth tone colors between Austin chalk and the darker colors shown to Council in the samples and that options are available as the architect stated in this meeting; second by Councilmember Blanscet.**

Mayor Marchant asked legal counsel if there was a problem with stipulating that the use has to be one particular provider and Ms. Ladd stated it limits the City in the future. She stated it would be for this particular façade and would not set a standard for Raiford.

**The motion was approved with a unanimous 6-0 vote.**

**35. Hold A Public Hearing And Consider An Ordinance Accepting And Approving The Service And Assessment Plan And Assessment Roll For The Carrollton Castle Hills PID No. 1, Located At The Southeast Corner Of Windhaven Parkway And Old Denton Road.**

Asst. City Manager Marc Guy described the subject site and stated the projects was expected to be an extension of the Castle Hills development into Carrollton accommodating approximately 314 single family lots. He stated that action this evening on this item and the companion item concludes the City's involvement in the process of creating a Public Improvement District (PID). The PID is a funding mechanism to reimburse the developer for site development costs; and described the Service and Assessment Plan and the annual assessment.

Mayor Marchant opened the public hearing; there being no speakers, he closed the public hearing.

**Councilmember Garza moved approval of Item 35; second by Councilmember Babick.**

Mayor Pro Tem Wilder stated he was very much in favor of the project but as stated in previous meeting, was strongly opposed to the PID and would vote against the motion. He stressed his opposition was not a reflection of the project.

**The motion was approved with a 5-1 vote, Mayor Pro Tem Wilder in opposition.**

**OTHER BUSINESS**

**36. Consider Approval Of A Reimbursement Agreement With CH CAR PID, LLC, A Texas Limited Liability Company, For The Carrollton Castle Hills PID No. 1, Located At The Southeast Corner Of Windhaven Parkway And Old Denton Road.**

Mayor Marchant noted that Item 36 was the companion item to No. 35 just approved.

Councilmember Blanscet moved approval of Item 36 with one change in the reimbursement agreement; Section 3.2 to add language that was given to the Council; “solely from the PID project fund” would be after the first use and developer and then the words “PID project fund via the” prior to the third word “city”; second by Councilmember Sutter and the motion was approved with a unanimous 6-0 vote.

**\*37. Consider Approving HPAC Recommendation To Donate The Humphreys Bicentennial Panels To The Office Of Denton County History And Culture.**

Mayor Pro Tem Wilder moved approval of Item 37 and agree with the recommendation of HPAC; second by Councilmember Babick and the motion was approved with a unanimous 6-0 vote.

Mayor Marchant adjourned the Regular Session at 9:36 p.m. advising that Council would reconvene in Worksession and Executive Session.

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

**4. Discuss Options For 1441 West Trinity Mills Road.**

Krystle Nelinson, Development Program Manager, provided a history of the property and provided financial information regarding the property. She advised that the purpose of purchasing the property was to facilitate development in the TOD area. With forthcoming lease on the property expiring, she provided two options regarding the property; rewrite the lease agreement or prepare the building for demolition. The estimated demolition cost was \$300,000. She advised that the TOD Sub-Committee met on Thursday, January 7 and recommended an option that included demolition. Mayor Marchant spoke in favor of demolition which turns the property back to green space and makes it more marketable. After discussion, a consensus was reached to offer a 3 month extension with notice that no repairs would be made to the building.

**6. Discuss Rising Star Selection for Metrocrest Chamber of Commerce.**

Council discussed several nominees and reached a consensus in favor of selecting Antonia Okafor.

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

**2. Council convened in Executive Session at 10:08 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.
  - Frankford Place v. City of Carrollton
  - Public Safety Radio System
- **Section 551.072** to discuss certain matters regarding real property.
- **Section 551.087** to discuss Economic Development.

3. Council reconvened in **open session at 10:54 p.m.** to consider action, if any, on matters discussed in the Executive Session. No action taken.

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

Mayor Marchant reconvened the Worksession at 10:54 p.m.

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

**ADJOURNMENT**

Mayor Marchant adjourned the meeting at 10:57 p.m.

**ATTEST:**

  
\_\_\_\_\_  
Laurie Garber, City Secretary

  
\_\_\_\_\_  
Matthew Marchant, Mayor

