

**CARROLLTON CITY COUNCIL  
REGULAR MEETING AND WORKSESSION  
FEBRUARY 6, 2024**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, February 6, 2024 at 5:45 p.m. with the following members present: Mayor Steve Babick, Mayor Pro Tem Nancy Cline, Deputy Mayor Pro Tem H.A. "Rusty" Pendleton, Councilmembers Christopher Axberg, Jason Carpenter, Richard Fleming, and Daisy Palomo. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy and Chrystal Davis, City Attorney Meredith Ladd and City Secretary Chloe Sawatzky.

Councilmember Andrew Palacios was absent.

**5:45 P.M. – COUNCIL BRIEFING ROOM**

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

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

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

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

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

2. Council will convene 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 will reconvene in Open Session to consider action, if any, on matters discussed in the Executive Session.

*Executive Session was not convened.*

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

**4. Receive Update From Gensler On Vision Planning Process And Timeline.**

City Secretary Chloe Sawatzky said that the Vision Planning Committee met this week. She introduced Kevin Turner, Design Strategist with M. Arthur Gensler & Associates, Inc. Mr. Turner provided an overview of the Gensler Team members who are working on the project. He also reviewed the focus points for the Vision Plan that will guide the future of Carrollton for the next 10-20 years.

Mr. Turner provided an overview of upcoming meetings that will be held with the City Council and the public. He added that the first meeting with Council is scheduled for February 22<sup>nd</sup> and the second meeting is scheduled for March 7<sup>th</sup>. The agendas for those meetings are being refined. Public

engagement meetings will be held at Carrollton Libraries on April 3<sup>rd</sup> and April 13<sup>th</sup>. A third virtual meeting will be scheduled in early May, and in late May, the Council will have a Review Session where the draft plan will be presented.

Councilmember Axberg and Mayor Pro Tem Cline offered positive remarks on the process.

**5. Discuss Nomination Of Rising Star Honoree For Metrocrest Chamber.**

Annually, the Metrocrest Chamber Rising Star Award is presented to individuals within the Chamber cities as selected by the Town/City and Mayor/Councils. Nominees are currently making contributions to their communities, demonstrating leadership qualities, and typically are young professionals that serve in volunteer or professional capacities within the respective Town/City. Past recipients of this award have been selected for their contributions to their workplace, strong volunteer commitment and engagement, and leadership capacity with peers and those in their communities. This year, the Rising Stars from Addison, Carrollton, and Farmers Branch will be presented with their award at the Metrocrest Chamber of Commerce 54th Annual Awards Luncheon on March 8th, 2024.

Councilmember Fleming nominated Mari Rubio and provided a briefing on her various activities in the Community. Councilmember Palomo nominated Susan Stevens and provided a briefing of her community contributions.

Council consensus was to submit Mari Rubio as Carrollton's nominee for the Rising Star Honoree.

**6. Discuss Dates For The 2024 Annual Council Strategic Planning Retreat.**

Following discussion, Council chose July 26<sup>th</sup> and 27<sup>th</sup> as the dates for the retreat.

**7. Mayor And Council Reports And Information Sharing.**

Council reviewed their recent activities and upcoming events.

*Worksession concluded at 6:47 p.m.*

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

Mayor Babick called the Regular meeting to order at 7:00 p.m.

**INVOCATION** – Councilmember Christopher Axberg

**PLEDGE OF ALLEGIANCE** – Councilmember Richard Fleming

**PRESENTATIONS**

**8. Present A Proclamation Recognizing Carrollton-Farmers Branch ISD Blalack Middle School Honor Winds Band.**

Mayor Babick read a proclamation recognizing Carrollton-Farmers Branch ISD Blalack Middle School Honor Winds Band and naming February 6<sup>th</sup> as Blalack Middle School Honor Winds Band Day. The band was selected to participate in the "Music For All Festival" in Indianapolis, Indiana. Students and

band director Keith Marshall were present to receive the proclamation. Mr. Marshall stated that the band will hold two concerts prior to the festival on February 20<sup>th</sup> and March 7<sup>th</sup>, both at Creekview High School.

**9. Recognize Community Groups For Exemplifying Council's Vision.**

Mayor Babick recognized the American Legion Post 597 of Carrollton for their programs and participation in community events, in particular the recent Veteran's Day Celebration. He introduced Post Commander Eddie Lopez who spoke briefly.

Mayor Babick recognized the Carrollton Giving Garden organization for their contributions to local charities, such as Metrocrest Services. The gardening group donates a minimum of fifty percent of their harvest each season. Martha Grizzle of the Giving Garden spoke briefly.

**10. Receive Funding From Denton County Commissioner Falconer For Hebron And Frankford.**

Mayor Babick introduced Denton County Commissioner and former Carrollton Mayor Kevin Falconer. Commissioner Falconer stated that Denton County is partnering with Carrollton and other cities on some bond program roadway improvement projects. He advised that the Denton County Commissioners Court recently approved the Interlocal Cooperation Agreements for Hebron Parkway, Segment 1 and a portion of Frankford Road. Certificates memorializing the agreements were presented to Mayor Babick and City Manager Erin Rinehart.

**PUBLIC COMMENT**

**11. 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.

Suzanna Dooling: Requested Council pull Item 19 from the Consent Agenda and delay the vote. She requested additional playground equipment be considered that offers more accessibility and sensory related items.

With no other speakers Mayor Babick closed the public comment period.



**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 Babick stated Item 15 will be pulled from the Consent Agenda for separate discussion.

**Councilmember Axberg moved to approve Consent Agenda Items 12-14, and 16-24 (No. 12 as stipulated); second by Deputy Mayor Pro Tem Pendleton. The motion was approved with a unanimous 6-0 vote. (Councilmember Palacios was absent.)**

**MINUTES**

- \*12. Consider Approval Of The January 23, 2024 Regular Meeting Minutes.**

**BIDS & PURCHASES**

- \*13. Consider Approval Of The Renovations To Indian Creek Golf Course Cart Barn By Dallas Harmony Construction Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$262,680.00.**
- \*14. Consider Approval Of The Purchase Of Starting Blocks For The Rosemeade Rainforest By Sunbelt Pools Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$57,941.84.**
- \*15. Consider Approval Of RFP #24-007, Grounds Maintenance, For The Parks, Public Works, Fire, And Environmental Services Departments From Various Vendors In An Amount Of \$709,000.00, Annually, For An Estimated Six-Year Total Of \$4,254,000.00.**

**Councilmember Carpenter moved to approve Item 15; second by Mayor Pro Tem Cline.**

Councilmember Fleming questioned the scoring methodology used in determining the vendor awards.

**The motion was approved with a 5-1 vote. Councilmember Fleming voted in opposition. (Councilmember Palacios was absent.)**

- \*16. Consider Approval Of RFP #23-031 For An Analysis Of Impediments To Fair Housing Study For The City Of Carrollton From Grow America In An Amount Not To Exceed \$25,000.00.**
- \*17. Consider Approval Of RFP #23-044 For The 2024-2028 Consolidated Plan Report For The City Of Carrollton From Grow America In An Amount Not To Exceed \$50,000.00.**
- \*18. Consider Approval To Purchase Digital Materials From Sole Source Vendor Bibliotheca In An Amount Not To Exceed \$127,050 For The First Year And A Two-Year Total Amount Not To Exceed \$273,157.**

- \*19. Consider Approval Of The Replacement Of Branch Hollow Playground By Whirlix Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$329,686.50.**

### **CONTRACTS & AGREEMENTS**

- \*20. Consider Authorizing The City Manager To Approve A Contract With Swift Corporation, LLC For Construction Of A Screening Wall Along The West Side Of Webb Chapel Road From The Towerwood Lane Alley To Immediately South Of Gateway Avenue In An Amount Not To Exceed \$899,600.00.**

### **RESOLUTIONS**

- \*21. Consider A Resolution Authorizing The City Manager To Negotiate And Execute All Necessary Documents For The Purchase Of Approximately 0.0636 Acres As A Public Drainage Easement At 1704 Willow Road, City Of Carrollton, Dallas County, Texas, For The Duncan Heights NOTICE Reconstruction Project In An Amount Not To Exceed \$32,016.00.**
- \*22. Consider A Resolution Authorizing The City Manager To Negotiate And Execute Contract Amendment No. 1 With Teague Nall & Perkins, Inc. For The Sandy Lake Road Paving, Drainage And Utility Improvements Project In An Amount Not To Exceed \$57,200.00, For A Revised Contract Amount Not To Exceed \$861,650.00.**
- \*23. Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Professional Services Agreement With Magee Architects, LP For Architectural And Engineering Design Services Related To The City Hall Remodel Phase II Project In An Amount Not To Exceed \$250,000.00.**
- \*24. Consider A Resolution Authorizing The City Manager To Enter Into A Memorandum Of Understanding With Dallas-Fort Worth Regional Intelligent Transportation System Partners Regarding Guiding Principles For Multi-Agency Communication, Data And Video Sharing.**

### **PUBLIC HEARING – INDIVIDUAL CONSIDERATION**

*Council addressed Item No. 27 prior to other public hearing items.*

- 27. Hold A Public Hearing And Consider An Ordinance Amending The Zoning On An Approximately 55-Acre Tract Located At The Northwest Corner Of President George Bush Turnpike And Midway Road To Amend Planned Development Districts 54 And 66 (PD-54 and PD-66) To Allow Multi-Family And Single-Family Townhouse Uses, To Revise Development Standards And To Modify Concept Plans; Amending The Official Zoning Map Accordingly. Case No. PLZPD 2023-116 IBP 190 (GBT & Midway).**

Loren Shapiro, Planning Manager, presented this item. He advised the request is to rezone undeveloped property primarily zoned Heavy Commercial. The property consists of 55 acres located at the northwest corner of the George Bush Turnpike and Midway Road.



The applicant is requesting to create a Master Planned Development that will include 910,000 square feet of office space, 27,000 square feet of retail, and more than 700 multi-family townhomes. This mixed use development will include parking structures, open spaces, wide sidewalks and pedestrian friendly streetscapes. The multi-family buildings will be three and four stories in height and the office buildings will be four and five stories. A traffic impact analysis was submitted with the rezoning request.

Mr. Shapiro stated that during the Planning and Zoning Commission public hearing questions were raised as to the buffering on the west side adjacent to existing single-family residential. It was stated that efforts to retain existing mature trees will be made and supplemented by additional shade trees. In addition, there will be an 8-foot masonry wall along the north property line adjacent to the residential areas. Mr. Shapiro noted that the wall and plantings will be in a 22-foot landscape buffer.

Mr. Shapiro provided depictions of building elevations and locations, as well as landscaping and open areas. A line of site exhibit was provided reflecting the location of the nearest multi-family building, parking garage and adjacent residential. He noted that the development will be built in phases.

On January 4, 2024, the Planning and Zoning Commission recommended approval of the request with an added stipulation to require an 8-foot masonry screening wall along the property line with the Oak Creek Estates Subdivision instead of an ornamental metal fence. Staff is recommending approval.

Councilmember Palomo requested clarification on the line of site from the multi-family building to the wall and adjacent residences. Mr. Shapiro responded that eight feet is the minimum height requested by staff for the wall. He further explained the exhibit reflecting line of sight from the parking garage. He added that the closest building will be no closer than 75 feet from the residences.

Councilmember Axberg requested clarification regarding the current zoning, as well as public safety, roadway access, and water infrastructure. Mr. Shapiro responded that the current heavy commercial zoning allows many uses by right including auto repair and adult-oriented businesses. Creating a planned development can require certain uses be excluded and certain ones allowed. Mr. Shapiro stated that this master plan does meet the city's land use map and is a good fit. In regard to public safety matters, he stated that the plan review committee included staff from Police and Fire departments. He also described the traffic flow into and out of the development, noting there is no access from or through the residential neighborhood. In regard to water and sewer infrastructure, the developer will have to provide civil engineering to support the density of the development.

Councilmember Axberg inquired whether the environmental aspects of the development were considered. Mr. Shapiro responded that the developer would take into consideration any wildlife in the area. He added that there is a tree preservation ordinance in place as well as stormwater runoff regulations. Councilmember Axberg inquired whether there is anything that would inhibit the developer on this project. Mr. Shapiro stated that all roadways belong to either the City of Dallas or TxDOT so the permits will be issued through those entities. Additionally, he said that the developer must adhere to the design as presented and any changes would have to come back to Council for approval. Councilmember Axberg confirmed with Mr. Shapiro that the developer has communicated with the adjacent residents and the concerns presented were addressed, in particular the inclusion of an 8-foot masonry wall rather than wrought iron. Mr. Shapiro also stated that notices were sent to adjacent residents prior to the Planning and Zoning Commission public hearing and prior to this City Council public hearing.

Mayor Babick inquired if the applicant would like to speak.

Applicant Lucy Billingsley, 1722 Routh St, Dallas, provided a presentation describing the development and included the measures taken to make this mixed use development less obtrusive to the neighborhood and existing environment.

Councilmember Palomo asked Ms. Billingsley if the 8-foot wall could be higher. Ms. Billingsley responded that 8 feet should be sufficient.

Councilmember Axberg confirmed with Ms. Billingsley that the construction would begin along Midway Road at the farthest distance from the adjacent neighborhood and asked at what point the masonry wall would be built. She responded it would be built at the same time as the building construction begins. She added that all residential buildings will have secure access.

Mayor Babick stated two cards were submitted from individuals who did not wish to speak but are in opposition to this development. Those are from:

Jamie Marler  
Joshua Marler

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

**Mayor Pro Tem Cline moved approval of Case No. PLZPD 2023-116 IBP 190 (GBT & Midway); second by Councilmember Axberg.**

Additional questions were raised as to the property beyond the planned masonry wall. It was noted this is outside the scope of this project. The Mayor and several Council members spoke in favor of this project.

**The motion was approved with a unanimous 6-0 vote. (Councilmember Palacios was absent.)**

- 25. Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow An Amusement Arcade (Excluding Adult Arcade) On An Approximately 6.5-Acre Tract Zoned PD-45 For The (LR-2) Local Retail District And Located At 2625 Old Denton Road, Suite 232 And At The Northwest Corner Of West Trinity Mills Road/President George Bush Turnpike And Old Denton Road; Amending The Official Zoning Map Accordingly.** Case No. PLSUP 2023-125 Kiddleton Arcade (H-Mart). Case Coordinator: Emily Offer.

Loren Shapiro, Planning Manager, presented this item. He advised that the applicant is requesting approval of a Special Use Permit to allow an amusement arcade (excluding adult arcade) at 2625 Old Denton Road, Suite 232. The amusement arcade will consist of 57 arcade machines. Mr. Shapiro noted that the arcade is currently in operation due to the owner not being aware a permit is needed. The arcade will operate from 8 a.m. to 11 p.m., seven days per week. On January 4, 2024, the Planning and Zoning Commission recommended approval of the request with stipulations. Staff recommends approval.



Deputy Mayor Pro Tem Pendleton inquired if the possibility exists for the operator to take out some of the 57 machines and replace them with slot machines. Mr. Shapiro stated no that it will be stipulated that there shall be no gambling machines.

The applicant was present but did not wish to speak.

Mayor Babick opened the public hearing. He advised that no request to speak cards were submitted.

With no one wishing to speak, Mayor Babick closed the public hearing.

**Councilmember Palomo moved approval of Case No. PLSUP 2023-125 Kiddleton Arcade (H-Mart); second by Deputy Mayor Pro Tem Pendleton.**

Mayor Pro Tem Cline inquired what “Showtime” is as reflected on the exhibit. Mr. Shapiro responded it is a machine for larger toys.

**The motion was approved with a unanimous 6-0 vote. (Councilmember Palacios was absent.)**

- 26. Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow An Amusement Arcade (Excluding Adult Arcade) On An Approximately 3.2-Acre Tract Zoned For The (LR-2) Local Retail District And Located At 2532 Old Denton Road, Suite 105 And At The Southeast Corner Of East Trinity Mills Road/President George Bush Turnpike And Old Denton Road; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2023-126 Kiddleton Arcade (99 Ranch).**

Loren Shapiro, Planning Manager, advised that this is a similar request as the previous item. He advised the arcade is already in operation due to the applicant not being aware a permit is needed. The applicant is requesting approval of a Special Use Permit to allow an amusement arcade (excluding adult arcade) at 2532 Old Denton Road, Suite 105. The amusement arcade will consist of 32 arcade machines and will not include gambling devices. On January 4, 2024, the Planning and Zoning Commission recommended approval of the request with stipulations. Staff recommends approval.

The applicant was present but did not wish to speak.

Mayor Babick opened the public hearing. He advised that no request to speak cards were submitted.

With no one wishing to speak, Mayor Babick closed the public hearing.

**Councilmember Palomo moved approval of Case No. PLSUP 2023-126 Kiddleton Arcade (99 Ranch); second by Councilmember Carpenter. The motion was approved with a unanimous 6-0 vote. (Councilmember Palacios was absent.)**

## **PUBLIC FORUM**

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






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

The following individuals submitted speaker cards with concerns regarding the conflict between Israel and Gaza and requested the City of Carrollton support a ceasefire.


Zahra Khatri  
Eman Fahmy  
Aleena Elasmr  
Samina Ali  
Speaker- unknown  
Omar  
Andrea Valladares  
Elva Elasmr  
Alex Matters

**ADJOURNMENT** - Mayor Babick adjourned the meeting at 8:56 p.m.

**ATTEST:**

  
Chloe Sawatzky, City Secretary



  
Steve Babick, Mayor