

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
SEPTEMBER 10, 2024**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, September 10, 2024 at 5:30 p.m. with the following members present: Mayor Steve Babick, Mayor Pro Tem Richard Fleming, Deputy Mayor Pro Tem Christopher Axberg, Councilmembers Nancy Cline, Jason Carpenter, Andrew Palacios, Daisy Palomo, and Rowena Watters. Also present were City Manager Erin Rinehart, Assistant City Manager Chrystal Davis, Chief Financial Officer Diana Vaughn, City Attorney Meredith Ladd and City Secretary Chloe Sawatzky.

5:30 P.M. – COUNCIL BRIEFING ROOM

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

Mayor Babick called the meeting to order at 5:30 p.m.

Executive Session was convened prior to Item 1.

1. Receive information and discuss Agenda.

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

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

2. Council convened into Executive Session at 5:30 p.m. pursuant to Texas Government Code:
 - **Section 551.071** for private consultation with the City Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the City Attorney has a duty under the Texas Rules of Discipline and Professional Conduct regarding confidential communication with the City Council.
 - **Section 551.074 to discuss personnel matters.**
 - Annual Review of the Municipal Judge.
 - Annual Review of the City Manager.
3. Council reconvened in Open Session at 6:00 p.m. to consider action, if any, on matters discussed in the Executive Session. No action was taken.

Executive Session on the above items was reconvened at 8:23 p.m. and concluded at 11:00 p.m. No action was taken.

*****WORKSESSION*****

Worksession began at 6:00 p.m.

4. Present Contract Information Regarding the Management of Indian Creek Golf Club.

Scott Whitaker, Parks and Recreation Director, provided an overview of the contractual relationship between the Indian Creek Golf Course Management Company, Orion, and the City of Carrollton. He reviewed that in most recent years the city has had a Revenue Sharing Agreement with Orion that pays

the city 18 percent of proceeds at the course. Previously, the city paid a management fee which ranged from \$7,000 - \$15,000 per month. Under the current Revenue Sharing Agreement the city realizes there is an income which is kept in reserve for use at the golf course and is used for major repairs and improvements. A chart reflecting the income over the past four years was provided.

Mr. Whitaker stated that in 2023 the city hired an independent consultant to evaluate the golf course and make recommendations. The most recent report suggests that the fees should be renegotiated with the vendor, Orion. The records show that operating expenses for the course have increased and it is recommended to reduce the 18 percent fee Orion pays the city to 15 percent. Examples of how this would change the proceeds were reviewed. If the change is approved, it would begin January 1, 2025.

Councilmember Carpenter inquired as to who oversees the expenditures from the city’s proceeds. Mr. Whitaker stated that the Parks and Recreation Department oversees the golf course budget for major repairs and improvements. The funds may only be used for the golf course.

Councilmember Cline inquired how this year’s storm impacted the golf course. Mr. Whitacker stated that it was closed for 30 days and Orion has lost money this year. He noted that the major expense for storm debris cleanup was taken on by the city and the golf course fund was sufficient to cover those costs.

Councilmember Fleming asked how many golf club members there are. Matt Roberts, General Manager for the golf course, stated that now there are 400 with a wait list of 125.

5. Discuss Fiscal Year 2025 Proposed Budget.

Diana Vaughn, Chief Financial Officer, reviewed the previous discussions held with Council regarding the upcoming budget. She stated that a 1.5 cent tax cut is included.

Ms. Vaughn stated that all updated Fund overview documents have been provided to Council, as well as a summary of the tax rate and relative dollar amounts. She reviewed the adoption process on this agenda as follows:

- Item 35 Public Hearing on the Tax Rate and Budget
- Item 36 Adopt the Budget
- Item 37 Adopt the Tax Rate
- Item 38 Adopt a Resolution Ratifying the Tax Rate

It was noted that specific language is required for Items 36 and 37.

Ms. Vaughn reviewed Carrollton’s tax relief options that include a 20 percent Homestead Exemption, an Over 65 exemption for homeowners of \$97,000, a Disabled Persons Exemption of \$97,000, and a Disabled Veteran’s Exemption.

Mayor Babick adjourned the Worksession at 7:00 p.m. following Item 5 to convene the Regular Meeting.

Worksession reconvened at 7:50 p.m. following the conclusion of the Regular Meeting.

6. Discuss Request For The Designation of Korea Town in Carrollton.

Mayor Babick offered brief background comments regarding this item. He stated this is an update on the discussions of a potential designation of Korea Town in Carrollton.

Christopher Szymczyk, Economic Development Manager, reviewed past preliminary meetings on the potential for Carrollton to have an area designated as Korea Town. He advised that the Korean Consulate and the Korean Society of Dallas have had representatives involved in talks and dates were provided. Mayor Babick has participated in discussions regarding a possible Korea Town and added that since April 2024 two additional meetings have been held.

Mr. Szymczyk provided an overview of what could possibly be involved in such a designation. An official proclamation by the city and state recognizing a specific area would be the initial action. The potential area for designation was briefly described. Further actions that potentially could be taken by the city were provided, including the installation of street sign toppers and/or monument installations.

Mr. Szymczyk stated that if directed by the Council, staff would continue with discussions on this matter. Moving forward, the next step would be a Council Resolution, then the physical elements and boundaries determined. An application would need to be submitted to the state for legislative action in the next session, which is in 2025. Mayor Babick said that there are still many discussions needed and no formal decision will be made this evening.

Councilmember Axberg confirmed with the Mayor that the Korean Consulate is in Dallas and asked whether any other Korean designations are in the metroplex. Mayor Babick responded that yes, there is one in Dallas along Royal Lane. He added that Carrollton represents the largest concentration of Korean individuals in the country, factoring in both residents and visitors.

Mayor Babick stated that before Carrollton moves forward, he would like formal support from the Korean Consulate and the Korean Society of Dallas.

Benefits of having such a designation in Carrollton were discussed. Several Council members spoke in favor. A consensus of Council to continue with discussions was reached.

7. Mayor And Council Reports And Information Sharing.

Council reviewed their recent activities and upcoming events.

Worksession concluded at 8:23 p.m. At this time, Mayor Babick reconvened the Executive Session. See Item 2.

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

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

INVOCATION – Deputy Mayor Pro Tem Christopher Axberg. A moment of silence was taken for the anniversary of 9/11.

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Richard Fleming

PUBLIC COMMENT

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

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

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

CONSENT AGENDA

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

Councilmember Cline moved to approve Consent Agenda Items 9-31; second by Councilmember Palacios. The motion was approved with a unanimous 7-0 vote.

MINUTES

***9. Consider Approval Of The July 26-27, 2024 Strategic Retreat Minutes.**

***10. Consider Approval Of The August 20, 2024 Regular Meeting Minutes.**

BIDS & PURCHASES

***11. Consider Approval Of The Fence Purchase And Installation At R.E. Good Soccer Complex Through An Inter-Local Agreement With The City Of Hurst In An Amount Not To Exceed \$167,737.00.**

- *12. Consider Approval Of RFP #24-020, Renovations at Rosemeade Recreation Center To Dallas Harmony Construction, LLC, In An Amount Not To Exceed \$402,000.00, For A One-Year Agreement.**
- *13. Consider Approval Of RFP #24-053 For Temporary Staffing Services From Cornerstone Staffing And Openwork LLC In An Amount Not To Exceed \$400,000.00 Annually For A Total Three-Year Contract Amount Not To Exceed \$1,200,000.00.**
- *14. Consider Approval Of RFP #24-062 For Risk Management Software From Recordables Inc. In An Amount Not To Exceed \$59,500.00 For Year One and \$35,250.00 Per Renewal Term, For A Total Three Year Contract Amount Not To Exceed \$130,000.00.**
- *15. Consider Authorizing The City Manager To Purchase Replacement Fire Alarm Equipment And Installation For The Central Service Center On An Existing BuyBoard Cooperative Contract In An Amount Not To Exceed \$76,412.00.**

CONTRACTS & AGREEMENTS

- *16. Consider Authorizing The City Manager To Enter Into An Agreement With 3M Company Through An Interlocal Agreement With The City Of Fort Worth In An Amount Not To Exceed \$75,000.00 Annually, For A Two-Year Agreement, For A Total Agreement Amount Not To Exceed \$150,000.00.**
- *17. Consider Authorizing The City Manager To Approve A Construction Contract With KIK Underground, LLC For The Duncan Heights NOTICE Street, Drainage, And Utility Improvements Phase 1 Project In An Amount Not To Exceed \$6,954,653.50.**
- *18. Consider Authorizing The City Manager To Approve A Construction Contract With Camino Construction LP For The Country Villas Street Reconstruction Project In An Amount Not To Exceed \$7,790,000.00.**
- *19. Consider Authorizing The City Manager To Enter Into An Interlocal Agreement With The City Of Dallas For A Temporary Increase To The City's Water Demand Levels.**

ORDINANCES

- *20. Consider An Ordinance Amending Chapter 31, The Comprehensive Fee Schedule, Effective October 1, 2024.**

RESOLUTIONS

- *21. Consider A Resolution Authorizing The City Manager To Enter Into A Two Year Software Services Agreement With Flock Safety Systems For License Plate Reader Camera Software In An Amount Not to Exceed \$30,000 Annually, For A Total Contract Amount Not To Exceed \$60,000.**
- *22. Consider A Resolution Authorizing The City Manager To Enter Into A Five Year Agreement With Flock Safety Systems For License Plate Reader Camera Equipment For**

- \$12,471 For The First Year, \$10,371 Annually Thereafter, For A Total Contract Amount Not to Exceed \$53,955.**
- *23. Consider A Resolution Authorizing The City Manager To Enter Into An Agreement With FLOCK For A One-Year Lease Of 57 IP Cameras In An Amount Not To Exceed \$221,000 Over A One-Year Period.**
- *24. Consider A Resolution Authorizing The City Manager To Accept The Award Of The 2025 Texas Motor Vehicle Crime Prevention Authority Catalytic Converter Grant For A Total Of \$184,167.**
- *25. Consider A Resolution Authorizing the City Manager To Purchase Audio-Visual Equipment And Installation And Support Services From AVI Systems, Inc. Through An Interlocal Cooperation Agreement with TIPS For The Real Time Crime Center At The Police Department In An Amount Not To Exceed \$200,906.91.**
- *26. Consider A Resolution Of The City Council Of The City Of Carrollton, Texas, Approving A Negotiated Settlement Between The Atmos Cities Steering Committee (“ACSC”) And Atmos Energy Corp., Mid-Tex Division (“Atmos”) Regarding Atmos’s 2024 Rate Review Mechanism Filing; Declaring Existing Rates To Be Unreasonable; Adopting Tariffs That Reflect Rate Adjustments Consistent With The Negotiated Settlement; Finding The Rates To Be Set By The Attached Settlement Tariffs To Be Just And Reasonable And In The Public Interest; Approving An Attachment Establishing A Benchmark For Pensions And Retiree Medical Benefits; Requiring Atmos To Reimburse ACSC’s Reasonable Ratemaking Expenses; Determining That This Resolution Was Passed In Accordance With The Requirements Of The Texas Open Meetings Act; Adopting A Savings Clause; Declaring An Effective Date; Requiring Delivery Of This Resolution To Atmos And ACSC’s Legal Counsel; And Providing An Effective Date.**
- *27. Consider A Resolution Amending Resolution No. 4628 Relating To The Award Of Bid #21-022 To VertexOne for the Utility Billing Solution, Authorizing the City Manager to Execute All Necessary Documents to Obtain Additional Integration Between VertexOne’s Utility Billing System and City Systems, And Authorizing Additional Funds to Ensure Access to the Utility Billing System for the Term of the Agreement with Vertex One In The Amount Of \$296,823.00, For A New Total Amount Not To Exceed \$3,161,506, through October 1, 2027.**
- *28. Consider A Resolution For The Ratification Of Emergency Storm Debris Removal Services By CrowderGulf, LLC. In An Amount Not To Exceed \$1,266,800.**
- *29. Consider A Resolution For The Ratification Of Emergency Tree Trimming Services By Elite Tree Services, LLC. In An Amount Not To Exceed \$29,255, For A New One-Year Amount Not To Exceed \$125,755, And A New Total Contract Amount Not To Exceed \$318,755.**
- *30. Consider A Resolution Authorizing The City Manager To Bind Coverage With the Texas Municipal League Intergovernmental Risk Pool (TMLIRP) for Workers’ Compensation, General Liability, Including Law Enforcement Errors And Omissions, Automobile Liability, Automobile Physical Damage, Crime, Real And Personal Property, and Mobile**

Equipment, And Arthur J. Gallagher for Cyber Liability In An Annual Amount Not To Exceed \$1,400,000.00.

- *31. Consider A Resolution Authorizing The City Manager To Amend The Contract With Orion Management Solutions For Management Of Indian Creek Golf Course By Revising The Revenue Share Formula And Authorizing A Management Fee In Certain Circumstances.**

PUBLIC HEARING – INDIVIDUAL CONSIDERATION

- 32. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow An Amusement Arcade (Excluding Adult Arcade) In An Approximately 1,300 Square Foot Space Zoned PD-63 For The (LR-2) Local Retail District And Located At 3044 Old Denton Road, Suite 117; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2024-085 Eiswelt Gelato And Arcade.**

Planning Manager Loren Shapiro presented this item. He advised this is a SUP request for an arcade with 32 machines. He reviewed the location and provided a zoning map. He advised that no alcohol would be served in this facility. It was noted that the Planning and Zoning Commission approved with adjusted operating hours of 2 pm. – 10 p.m., Monday through Friday, and 11 a.m. – 10 p.m., Saturday and Sunday. Staff is recommending approval.

Mayor Babick asked if the applicant was present and wished to speak. The applicant was present, however did not speak.

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

Councilmember Cline moved to approve Agenda Item 32; second by Councilmember Palacios. The motion was approved with a unanimous 7-0 vote.

- 33. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Amend SUP-312 To Allow An Automobile, Motor Vehicle, Heavy Load Truck And Watercraft Paint And Body Shop (Vehicle Wrap, Window Tint, And Window Replacement) In An Approximately 2,000 Square Foot Space Zoned (LR-2) Local Retail District And Located At 3609 North Josey Lane; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2024-071 Neu Tint Auto Glass.**

Planning Manager Loren Shapiro presented this item. He advised that if this request for a SUP is approved it will replace an existing SUP for a car alarm service. He stated that this request is for a vehicle wrap, window tint, and windshield replacement company. It would fall under a larger, more general category for auto repair. He stated that staff does not recommend approval as there are no other auto repair services in the area. He provided a location/zoning map and provided additional details of the zoning category for this SUP. Mr. Shapiro stated that the Planning and Zoning Commission voted against recommending approval. He added that should Council vote to approve, a super-majority of yes votes (6 of 7) is required. Also, staff is requesting stipulations be included in the motion that paint and body shops shall not be allowed in the SUP, and that overnight outdoor storage is not allowed.

Councilmember Axberg requested clarification regarding the P&Z vote and the stipulations. Mr. Shapiro confirmed the stated stipulations.

Councilmember Fleming clarified the location and use of a garage bay at the rear of the building that would be used and confirmed with Mr. Shapiro that the work would only be done inside the building.

Mayor Babick asked if the applicant is present and would like to speak. Mr. Shapiro stated the applicant had a video of the work process he wanted to share.

The applicant reviewed the video and stated that no chemicals are used in the processes. The property manager added that there are trash dumpsters on-site that are emptied three times each week.

When asked how long the work process takes the applicant responded that two windows takes about 20 minutes for a tint and a whole vehicle takes about one and a half hours. A windshield replacement takes about one hour. A whole body wrap takes around eight hours. He added that the hours of operation are 9 a.m. – to 6 p.m., Monday – Saturday.

Councilmember Axberg confirmed with the applicant that the bay would hold two vehicles at a time. He also asked Mr. Shapiro why the P&Z recommended denial. Mr. Shapiro stated that they did not believe the location was appropriate and agreed with staff’s recommendations.

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

Mayor Babick confirmed with Mr. Shapiro that if overnight parking complaints are received, Code Enforcement would respond.

Councilmember Palomo moved to approve Agenda Item 33; second by Councilmember Fleming. The motion was approved with a 6-1 vote. Councilmember Carpenter voted in opposition.

- 34. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow A Communications Tower, Freestanding (Excluding Antennas Or Support Structures For Amateur Radio Communications) On An Approximately 21.08-Acre Tract Zoned PD-005 For The (LR-2) Local Retail District And Located 1213 East Trinity Mills Road And Approximately 850 Feet East of East Trinity Mills Road and Old Denton Road; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2024-074 Walmart Monopole.**

Planning Manager Loren Shapiro provided a conceptual site plan for a 150 foot communications tower. He reviewed the location, stating it would be located behind the Walmart. He stated one comment card was received. Mr. Shapiro added that multiple service providers would use the monopole to provide better communications service to Carrollton residents.

Councilmember Cline asked who owns the property in the area. Mr. Shapiro stated that there is a detention pond there and a retirement home in the rear.

Mayor Babick asked if the applicant is present and would like to speak. The applicant spoke briefly explaining her request.

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

Councilmember Cline moved to approve Agenda Item No. 34; second by Councilmember Palomo. Motion was approved with a 7-0 vote.

- 35. Conduct A Public Hearing On The Proposed 2024 Property Tax Rate And Proposed Operating And Capital Budget For The Fiscal Year October 1, 2024 Through September 30, 2025.**

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

OTHER BUSINESS

- 36. Consider An Ordinance Adopting And Approving An Operating And Capital Budget For The City Of Carrollton, Making Appropriations Therefore For The Fiscal Year October 1, 2024 Through September 30, 2025.**

Mayor Babick stated that pre-scripted language must be used in the motion and that Finance Committee Chair Councilmember Carpenter will make the motion.

Councilmember Carpenter made the following motion:

“I move to approve the ordinance adopting the operating and capital budget for the City of Carrollton, making appropriations therefore for the Fiscal Year October 1, 2024 through September 30, 2025.”

Second by Councilmember Palomo. Motion was approved unanimously with a vote of 7-0.

- 37. Consider An Ordinance Establishing The Tax Rate And Tax Levy For The City Of Carrollton For The Tax Year 2024 Upon The Taxable Property In The City Of Carrollton In Conformity With The Laws Of The State Of Texas And The City.**

Mayor Babick stated that pre-scripted language must be used in the motion and that Finance Committee Chair Councilmember Carpenter will make the motion.

Councilmember Carpenter made the following motion:

“I move that the property tax rate be increased by the adoption of a tax rate of 53.875 cents per \$100 valuation, which is effectively a 4.16 percent increase in the tax rate.”

Second by Councilmember Palacios. Motion was approved with a vote of 6-1. Councilmember Fleming voted in opposition.

- 38. Consider A Resolution Ratifying The Property Tax Increase Reflected In The Fiscal Year 2024 - 2025 Operating Budget.**

Councilmember Carpenter moved to approve Item 38; second by Councilmember Palacios. Motion was approved with a unanimous vote of 7-0.

Mayor Babick offered closing remarks regarding the tax rate and budget. He stated that for 11 years the tax rate in Carrollton has been reduced. He noted that this budget focuses on public safety and

includes \$100 million in capital improvements with a goal of reducing debt. He thanked staff for their hard work on this budget.

PUBLIC FORUM

39. Hearing of any citizen/visitor on items not listed on the regular meeting agenda. Citizens wishing to address the Council regarding items on the posted agenda will be called to speak during the Council's consideration of such items.

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

Mayor Babick opened the public forum.

Jim Baker, 2206 Burgundy Drive: Spoke with concerns regarding traffic in his neighborhood due to the upcoming golf tournament and requested issues to be resolved.

Mayor Babick closed the public forum.

At 7:46 p.m. the Regular Meeting concluded and Mayor Babick continued with the Worksession Item 6.

Executive Session was reconvened following the conclusion of the Worksession.

ADJOURNMENT - Mayor Babick adjourned the meeting at 11:00 p.m.

ATTEST:

Chloe Sawatzky, City Secretary

Steve Babick, Mayor

Time Stamp Summary:

<i>Call to Order</i>	<i>5:30 p.m.</i>
<i>Executive Session</i>	<i>5:30- 6:00 p.m.</i>
<i>Worksession</i>	<i>6:00- 7:00 p.m.</i>
<i>Regular Meeting</i>	<i>7:09- 7:46 p.m.</i>
<i>Worksession cont'd</i>	<i>7:50- 8:23 p.m.</i>
<i>Executive Session cont'd</i>	<i>8:23- 11:00 p.m.</i>
<i>Meeting Adjourned</i>	<i>11:00 p.m.</i>