

**CARROLLTON CITY COUNCIL  
REGULAR MEETING AND WORKSESSION  
JANUARY 7, 2025**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, January 7, 2025 at 5:45 p.m. with the following members present: Mayor Steve Babick, Mayor Pro Tem Richard Fleming, Councilmembers Nancy Cline, Jason Carpenter, Andrew Palacios, Daisy Palomo, and Rowena Watters. Also present were City Manager Erin Rinehart, Assistant City Manager Chrystal Davis, Assistant City Manager Shannon Hicks, City Attorney Meredith Ladd and City Secretary Chloe Sawatzky.

Deputy Mayor Pro Tem Christopher Axberg attended the Worksession via teleconference.

**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.

Councilmember Cline requested Item 16 be pulled from the Consent Agenda for separate discussion.

Mayor Babick recused himself and stepped out of the room during review of Consent Item 19.

**\*\*\*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 A Presentation Regarding Carrollton's Small Business Program.**

Ravi Shah, Executive Director of Development, provided an overview of the city's Small Business Program. He advised that the purpose of the program is to help small businesses become successful by providing information, identifying resources including Economic Development incentives, helping to resolve issues and providing networking events. He advised that within Carrollton's city limits there

are 1,660 retail tenants that include arts, education, food services, health care, insurance, and other professional services to name a few. It was noted that D Magazine has showcased several of Carrollton's businesses over the years.

Mr. Shah stated that internally the Program is supported by staff from several departments: Fire Prevention, Plan Review, Inspections, Environmental Services, Permitting, and Economic Development. He also advised that on the city website there are links for businesses owners to access various types of information.

Mr. Shah provided a review of the city's Retail Grant Programs that have been adopted. Those include Retail Rehabilitation and Redevelopment, Specialty Retail and Restaurant, Back-Fill. He noted that Retail Rehabilitation for large shopping centers has resulted in small businesses being attracted to those centers. Total grant allocations to date are approximately \$3.5 million. Maps and photos of rehabbed businesses were provided.

Best Practices followed by the city include a Centralized Management of Municipal Services, Font Counter (Concierge Services) and Community Engagement.

Positive comments from Council were received. In response to a question from Councilmember Watters, Mr. Shah advised that this Small Business Program only applies to those business owners wishing to move into a physical retail space in Carrollton and not for home-based businesses.

**5. Discuss Solid Waste Request For Proposal (RFP) Advisory Team Recommendations And Changes To Chapter 50.**

Diana Vaughn, Chief Financial Officer, told the Council that Solid Waste is an Enterprise Fund, which means that the cost is covered by end-user fees. There are two funds: the Residential Services Sub-Fund which amounts to \$10.4 million in the 2025 budget, and the Apartment Services Sub-Fund which amounts to \$3.2 million for 2025. The current contract for solid waste services expires this year. An RFP Advisory Committee was formed to review the current contract and current ordinances to determine needed changes. The Finance Committee also reviewed these.

Ms. Vaughn reviewed the challenges faced by the city regarding solid waste including customer expectations versus the city's ordinances, contractor bulk, cost of services, ordinance consistency, and code enforcement.

Daniel Bryan, Solid Waste Contract Administrator, advised that the current solid waste contract is a five-year contract entered into in 2015 with one five-year extension. The contract expires in September 2025. Mr. Bryan advised that the Advisory Committee consisted of Mayor Pro Tem Fleming, Councilmember Carpenter, and five chairpersons of the city's Board and Commissions. He reviewed the steps taken by the Advisory Committee that resulted in two recommendations to consider. The Finance Committee's input was also reviewed.

Mr. Bryan provided definitions and photos of different types of waste including bulk, brush, and yard waste. Photos of non-compliant items left out for pickup were provided. He also presented a chart reflecting a survey of surrounding cities and their limitations on various types of solid waste. It was noted that the city of Garland does not have any quantity limitations as that city has their own trucks and a landfill.

Mr. Bryan reviewed the majority recommendation for the next contract that would include the same weekly trash collection as in the current contract. The recycling pickup would be changed to bi-weekly, and there would be an increase for self-delivery to the landfill to six cubic yards. There was a minority recommendation to change bulk pickup to bi-weekly (for up to six cubic yards) in order to give Code Enforcement an opportunity to respond to contractor bulk waste being left on the curb for pickup, which is a violation. The Finance Committee reviewed both recommendations and agreed in their support for the majority recommendation. Minor ordinance cleanup would also be enacted. In addition to the proposed recommendations, staff is recommending that yard waste be placed in Kraft bags that are biodegradable rather than placing it in the trash bins. The yard waste would be picked up separately of household garbage.

Mr. Bryan provided a review of the timeline for issuance of the RFP and review of proposals received. He noted that the new contract will go into effect in October. It was stated that major storm debris is collected in a different manner than routine solid waste collection.

Mr. Bryan stated that he is requesting guidance from the Council on which recommendation to move forward which when issuing the RFP. Mayor Pro Tem Fleming and Councilmember Carpenter spoke in favor of the majority's recommendation. Councilmembers Palacios and Palomo, who serve on the Finance Committee, also provided feedback on the recommendations. Staff responded to questions from other council members. Discussion followed on how the residents will be educated on the regulations when the new solid waste contract begins.

There was a consensus of Council to move forward with the majority recommendation.

#### **6. Receive Presentation And Consider Approval Of The Police Memorial Design.**

Chief of Police Roberto Arredondo presented the design selected for the Police Memorial. He advised that two design studios were contacted. One was RE Sikes Studio from Houston that designed the memorial for the City of Richardson and the other was Brad Owens Studio from Dallas. Four designs were considered. The Police Department personnel voted for a Five Point Star design. Chief Arredondo noted that the police badges have a five point star as do memorial wreaths. He described the symbolism for the stacked stone, circular perimeter surrounding the star. He also provided a depiction of the base where officers' names will be added and the engraving which will be on the face of the memorial. The memorial will be 10-12 feet tall and 17 feet wide.

Chief Arredondo stated that the location selected for the memorial is on the amphitheater site, southwest corner. He noted that a parking lot already exists there and it will be visible from the Police Department building. The schedule for the project was reviewed and it was noted that it may be completed later this year.

Chief Arredondo expressed his appreciation to the Council for their support in funding this memorial.

*Mayor Babick adjourned the Work Session following Item 6 to convene the Regular Meeting. At the conclusion of the Regular Meeting the Work Session was reconvened at the dais with Item 7.*

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

Council reviewed their recent activities and upcoming events.

*Worksession concluded and meeting adjourned at 9:52 p.m.*

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

*Deputy Mayor Pro Tem Axberg arrived prior to the beginning of the Regular Meeting.*

Mayor Babick called the Regular meeting to order at 7:10 p.m.

**INVOCATION** – Councilmember Rowena Watters

**PLEDGE OF ALLEGIANCE** – Councilmember Jason Carpenter

**PRESENTATIONS**

**8. Present Certificate To The Mayor’s Spotlight Award Recipient.**

Mayor Babick introduced the Mayor’s Spotlight Award and this year’s recipient. He recognized Tech Safety Lines, Inc. and introduced CEO Diane Waghorne who expressed her appreciation to the City of Carrollton.

**9. Present Proclamation Recognizing Martin Luther King Jr. Day.**

Mayor Babick read a proclamation recognizing January 20, 2025 as:

**Dr. Martin Luther King Jr. Day**

The proclamation also recognized representatives of Christ Community Connection organization for their efforts over the past 31 years in working on the MLK Day Parade for the City of Carrollton. The parade this year is on January 18<sup>th</sup>.

**PUBLIC COMMENT**

**10. 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.)*

Mayor Babick advised Items 16 and 19 would be pulled from the Consent Agenda for separate discussion.

**Councilmember Cline moved to approve Consent Agenda Items 11-15 and 17-18; second by Councilmember Palacios. The motion was approved with a unanimous 7-0 vote.**

**MINUTES**

**\*11. Consider Approval Of The December 3, 2024 Regular Meeting Minutes.**

**CONTRACTS & AGREEMENTS**

**\*12. Consider Authorizing The City Manager To Execute An Agreement With Precision Delta Corporation For The Purchase Of Pistol And Rifle Ammunition Through Texas BuyBoard Purchasing Cooperative In An Amount Not To Exceed \$51,733.12.**

**\*13. Consider Authorizing The City Manager To Execute A Construction Contract With KIK Underground, LLC For The Woodlake Section 4 Paving, Drainage, & Utility Improvements Project In An Amount Not To Exceed \$4,877,965.60.**

**\*14. Consider Authorizing The City Manager To Execute A Construction Contract With KIK Underground, LLC For The Carrollton Heights Street Reconstruction Phase 1 Project In An Amount Not To Exceed \$8,594,217.50.**

**\*15. Consider Authorizing the City Manager To Enter Into A Contract Pursuant to Bid #25-014 For Irrigation Inspections For The Environmental Services Department From Living Water Irrigation In An Amount Not To Exceed \$20,000.00, Annually, For A Three-Year Total Of \$60,000.00.**

**\*16. Consider Authorizing The City Manager To Approve A Construction Contract With The Fain Group, Inc. For The Dudley Branch Trail Project In An Amount Not To Exceed \$9,150,070.05.**

Councilmember Cline requested Item 16 be pulled from Consent for separate consideration. She read a prepared statement offering background information related to this item. She advised that she was on a committee that reviewed this project. She advised that in January 2024 staff presented alternative alignments, however, Council continued on the current path to avoid possibly losing \$3 million in grant funding. Councilmember Cline stated that she is still concerned with the absence of maintenance and the removal of trees in the creek area. She stated that in December 2024 staff submitted a modified FEMA map that moved the floodplain out of the creek onto adjacent properties. She respectfully requested a review of the design options again, adding however that she would move to approve the item.

**Councilmember Cline moved to approve Consent Agenda Item 16; second by Councilmember Palacios. The motion was approved with a 6-1 vote. Councilmember Palomo voted in opposition.**

- \*17. Consider **Authorizing The City Manager To Approve A Contract Pursuant To Bid #25-011 For Employee Work Uniforms For Various Departments From Various Vendors In An Amount Not To Exceed \$90,000.00, Annually, For A Three-Year Total Amount Not To Exceed \$270,000.00.**

## RESOLUTIONS

- \*18. Consider **A Resolution Authorizing The City Manager To Negotiate And Execute A Contract With Bridgefarmer & Associates, Inc. For Professional Engineering Services For Review And Preparation Of Plans And Documents Related To Railway Projects, In An Amount Not To Exceed \$40,000.00.**
- \*19. Consider **A Resolution Authorizing The City Manager To Negotiate And Execute A Contract With Garver, LLC, Huitt-Zollars, Inc., And Halff Associates, Inc., For Engineering Design Services Related To The Hebron Parkway (Hamilton To Meadow) Reconstruction Project In An Amount Not To Exceed \$6,486,733.00.**

Mayor Babick recused himself and stepped away from the dais. Mayor Pro Tem Fleming proceeded with reading the agenda item and taking the vote.

**Councilmember Palomo moved to approve Consent Item 19; second by Councilmember Palacios. The motion was approved unanimously with a vote of 7-0.**

## PUBLIC HEARING – INDIVIDUAL CONSIDERATION

20. Hold **A Public Hearing To Consider Amendments To The Land Use Assumptions, Water And Wastewater Capital Improvement Plans, And The Water And Wastewater Impact Fees, And Consider A Resolution Amending The Land Use Assumptions And Water And Wastewater Capital Improvement Plans.**

Director of Engineering Jonathan Wheat presented this item. He advised that this item is a public hearing and resolution amending the Land Use Assumptions and Water and Wastewater Capital Improvement Plans and updating impact fees.

He reviewed that the use of impact fees was established in 1990 and last updated in 2002. The city began a study of its impact fees in 2020 as they relate to the city's 10-year Capital Improvement Plans. He stated that impact fees help to pay for the capital improvements required for development. Mr. Wheat added that there will be an ordinance for consideration regarding the impact fees at the Council meeting.

Consultant Andrew Mata with Birkhoff, Hendricks, and Carter, LLP provided information on the city's population and projected population in ten more years. He said this is a 5-year update for water and wastewater infrastructure required for capital improvements due to growth. Saul Mendoza, also with Birkhoff, Hendricks, and Carter, LLP, reviewed the capacity needs and related water and wastewater costs for the next ten years.

Mr. Wheat reviewed a chart with recommended impact fees for various water meter sizes.

Mayor Babick opened the public hearing. There being no speakers he closed the public hearing. He opened the floor for a motion on the resolution.

**Councilmember Carpenter moved to approve Item 20; second by Councilmember Palacios. The motion was approved by a unanimous vote of 7-0.**

**21. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow Short-Term Rental On An Approximately 7,280 Square-Foot Lot Zoned (SF-7/14) Single-Family Residential District And Located At 4027 Red Maple Drive; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2024-171 4027 Red Maple Drive STR.**

Loren Shapiro, Planning Manager, presented this item. He advised this is a request for a zoning change to allow a 2,300 square foot, single family residence to be used as a Short Term Rental (STR). He said the house will accommodate seven people and parking is available on-site. Regulations pertaining to STRs were briefly reviewed, and a location map and floor plan were provided for this property. Mr. Shapiro stated that there are no violations on record with the city for this property. Staff is recommending approval.

Applicant Alex Hirshberg, 17400 Dallas Parkway, Dallas, stated he is the manager for this property and provided his own background information. He described property features regarding safety, maintenance, noise, and parking. He said that typical uses for the property will be for insurance relocations with a minimum five-night stay. A call center is available and staffed 24 hours a day. He noted that he is aware there is a neighborhood park nearby and stated that background checks are conducted on the renters. He added that stays are limited to six adults and three vehicles.

Mayor Babick opened the public hearing.

Speaking in opposition:

- Evey Baskin, 1318 Red Maple Dr.
- Akbar Khwaja, 4029 Red Maple Dr.
- Harold Shepard, 4025 Red Maple Dr.
- Alan Carlisle, 1317 Red Maple Dr.
- Elizabeth Knowles, 1307 Red Maple Dr.

The following did not wish to speak but wanted their opposition to go on record:

- Marge Shepard, 4025 Red Maple Dr.
- Cindy Carlisle, 1317 Red Maple Dr.

Mayor Babick closed the public hearing.

Mayor Baback asked Mr. Shapiro to provide some information on the history of the short term rental ordinance. Mr. Shapiro stated that as a result of city staff researching how other cities manage short term rentals, the city of Carrollton requires all STRs to be registered with the city, and if after the

effective date of the STR ordinance, a specific use permit must be obtained to determine appropriate land use. For homes used as STRs prior to the ordinance effective date, only the registration is required.

Councilmember Axberg asked Mr. Shapiro to describe the difference between STR and long-term rentals. Mr. Shapiro responded that STRs are for 30 days or less; long term rentals are for more than 30 days. He also stated that the regulations that apply to the STRs are provided to the owner/applicant when they register for STR or apply for a special use permit.

Mayor Babick stated that this is a land use discussion. He confirmed with staff that Carrollton has 209 properties registered as STRs (grandfathered due to registering prior to the ordinance effective date), and there are 173 properties with a STR special use permit. The regulations apply to all STRs.

In response to a question from Councilmember Palomo, Environmental Services Director Cory Heiple stated that the city has software that searches all the booking sites for STRs and locates them. For the past three months, the city has issued notices to those who have not gone through the registration process and/or SUP process, depending on when the property was placed into use as a STR. Mr. Heiple noted that complaints on such properties are routed to the Environmental Services Department for investigation and if violations exist, they will be documented. Registrations can be revoked.

Councilmember Carpenter stated this is a land use issue and a special use permit stays with the land. The next owner of the property can also operate an STR under an existing SUP after they register with the city. An existing registration does not transfer to a new owner. The registration is an annual process. Councilmember Palacios confirmed with Mr. Shapiro that a SUP can also be revoked as a separate matter from the registration.

**Mayor Pro Tem Fleming moved to approve Item 21; second by Councilmember Carpenter.**

Councilmember Axberg offered appreciation to those who participated in this process. Mayor Pro Tem Fleming also commented that representatives in the Texas Legislature can be contacted by residents regarding short term rentals and how cities can regulate them.

**The motion failed with the following vote:**

**Opposed: Councilmembers Axberg, Carpenter, Cline, Palomo**

**In Favor: Mayor Pro Tem Fleming, Councilmembers Palacios, Watters**

- 22. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow Short-Term Rental On An Approximately 7,000 Square-Foot Lot Zoned (SF-7/14) Single-Family Residential District And Located At 4017 Black Oak Drive; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2024-167 4017 Black Oak Drive STR.**

Loren Shapiro, Planning Manager, stated this is a special use permit application for a short term rental. He provided a location map. He advised that several public comment cards in opposition were received which amounts to more than 20 percent of the surrounding property owners notified. Since the Planning and Zoning Commission voted to recommend approval, a super majority of the Council (6 of 7) must vote in opposition to override the P&Z recommendation.

Applicant Emily Cuevas, 4024 Randall Lane, stated she is the property manager. She stated the property was purchased in 2022 prior to the enactment of STR regulations for registration or special



use permits. The property went through six or seven months of repairs and remodeling during which time the city's regulations were enacted, however she was unaware. The applicant advised that security devices and noise monitoring devices are in place. She offered remarks in response to neighbors' concerns and stated that she lives in the neighborhood also. In response to Councilmember Palomo's questions, the applicant stated that the maximum number of people that can stay in the home is seven, with six vehicles. The average length of stay averages four to seven nights. She added that the property is often rented to companies.

Mayor Babick opened the public hearing.

Speakers opposed:

Jennifer Clubb, 4015 Black Oak Dr.  
Karen Biddinger, 4013 Black Oak Dr.  
Harold Shepard, 4025 Red Maple Dr.  
Alan Carlisle, 1317 Red Maple Dr.  
Lyle Biddinger, 4013 Black Oak Dr.  
Elizabeth Knowles, 1307 Red Maple Dr.  
Toni Sanchez, 1024 Mount View Dr.

The following did not wish to speak but wanted their opposition to go on record:

Cindy Carlisle, 1317 Red Maple Dr.  
Marge Shepard, 4025 Red Maple Dr.

Speakers in favor:

Bill Lovell, 326 E. Tyler St., Richardson (1265 E Hebron Pkwy., Carrollton)  
Haniel Cuevas, 4024 Randall Lane

Mayor Babick closed the public hearing.

Councilmember Palomo inquired about the number of occupants allowed. Mr. Heiple responded that it depends on the size of the home.

Councilmember Axberg clarified with Mr. Heiple that this property was purchased prior to the ordinance, however, it was not operating as a STR until after so it is not grandfathered. Mr. Heiple responded that the city's software was put in use in October or November so the property owners were not made aware of the requirements until then. He reiterated that the property was purchased in 2022 at a time when there were no requirements but later after the renovations were done, there were requirements in place for the SUP.

Councilmember Carpenter stated this item is regarding land use and whether this is an appropriate use.

**Councilmember Carpenter moved to approve Item 22; second by Mayor Pro Tem Fleming.**

**The motion failed with the following vote:**

**Opposed: Councilmembers Axberg, Carpenter, Cline, Palomo**

**In Favor: Mayor Pro Tem Fleming, Councilmembers Palacios, Watters**

- 23. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Amend A Special Use Permit To Allow The Extension Of An Existing Event Center and Reception Hall On An Approximately 5.9221-Acre Tract Zoned PD 128 For The (LI) Light Industrial And (O-2) Office And Located At 2424 Marsh Lane, Amending The Official Zoning Map Accordingly. Case No. PLSUP 2024-134 Dallas Palms Event Center.**

Loren Shapiro, Planning Manager, presented this item. He provided a location and zoning map. He stated that this is a current event center with an existing SUP and the request is to expand the use, which requires an amendment. The Planning and Zoning Commission recommended approval and staff recommends approval with stipulations. Mr. Shapiro stated the amendment will allow this to be a full event center and reception hall. The stipulations are in regard to the hours of operation as well as the hours outdoor music is allowed.

The applicant was present but did not wish to speak.

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

**Mayor Pro Tem Fleming moved to approve Item 23; second by Councilmember Palomo. Motion was approved with a unanimous vote of 7-0.**

- 24. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow An Event Center And Reception Hall In An Approximately 4,870 Square Foot Lease Space Zoned PD-21 For The (LR-2) Local Retail District And Located At 3050 North Josey Lane; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2024-166 Josey Lane Event Center.**

Loren Shapiro, Planning Manager, stated this is a new SUP request for an event center to be located in a retail zoning district. He added that the location is within 100 feet of residential properties. No complaints or public comments were received. He stated that staff does not support the request due to the proximity of residential. The Planning and Zoning Commission did recommend approval.

The applicant, Jennifer Hiromoto, 10233 E. Northwest Highway, Dallas, spoke on behalf of the business owner. She responded to staff's concerns over the residential properties nearby.

Councilmembers Watters inquired how noise monitoring is enforced. The Code Enforcement Department would be contacted with complaints and are able to measure sound with an electronic device.

Councilmember Palomo inquired about the hours of operation. Mr. Shapiro stated it would operate Wednesday through Sunday, from 10 a.m. to 1 a.m., with a limit of six hours.

Councilmember Carpenter confirmed with Mr. Shapiro the reasons for staff recommending denial is based on other event centers' proximity to residential.

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

**Councilmember Axberg moved to approve Item 24; second by Mayor Pro Tem Fleming. Motion was approved with a vote of 6 to 1. Councilmember Palacios voted in opposition.**

- 25. Hold A Public Hearing To Consider An Ordinance Amending The Zoning On An Approximately 4.382-Acre Tract Zoned PD-07 For The (D) Duplex Residential District And Located At 2610 Lakehill Lane To Amend Planned Development District 07 To Change The Base Zoning To (MF-18) Multi-Family Residential District, To Revise Conceptual Plans And To Modify Development Standards; Amending The Official Zoning Map Accordingly. Case No. PLZ 2024-159 Lakehill Crossing Rezoning.**

Loren Shapiro, Planning Manager, stated this is a city-initiated zoning request to correct zoning that was put in place in the 1970s. He advised that currently the zoning is for Duplex, however since the property is on a single tract of land it actually should be zoned multi-family. There are no proposed changes to the property. He noted that a concept plan will be included in the zoning change to ensure no changes can be made without P&Z and Council approval.

Councilmember Palomo inquired why the city would want to change the zoning. Mr. Shapiro stated that right now it is considered legal non-conforming and staff wants to make sure the zoning is correct. He added there is a single owner for the tract of land.

Mayor Babick opened the public hearing.

Timothy Isaly, 2620 Lake Hill, spoke with a concern as to whether the structures could be torn down and rebuilt as a multi-family high rise building.

Mayor Babick closed the public hearing. He asked Mr. Shapiro to respond regarding Mr. Isely's comment. Mr. Shapiro stated that this could not happen because of the concept plan being included. If the concept plan were to change, rezoning would be required by the city.

**Councilmember Carpenter moved to approve Item 25; second by Councilmember Axberg. Motion passed with a vote of 6-1. Councilmember Watters voted in opposition.**

## **PUBLIC FORUM**

- 26. 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.

Pat Malone, 2505 Canterbury Place: Spoke with concerns regarding the alleyway behind her property being under construction and a fire hydrant being placed in the front yard of her son's property.

Willie Rainwater, 2006 Southern Oaks: Spoke regarding city funding for the MLK Parade.

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

*At the conclusion of the Regular Meeting, Mayor Babick continued with Work Session Item 7.*

**ADJOURNMENT** - Mayor Babick adjourned the meeting at 9:52 p.m.

**ATTEST:**

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Chloe Sawatzky, City Secretary

Steve Babick, Mayor