

**CARROLLTON CITY COUNCIL
REGULAR WORKSESSION AND MEETING
APRIL 4, 2017**

The City Council of the City of Carrollton, Texas convened in a Regular Worksession and Meeting on Tuesday, April 4, 2017 at 5:45 p.m. with the following members present; Mayor Matthew Marchant, Mayor Pro Tem Doug Hrbacek, Deputy Mayor Pro Tem Steve Babick, Councilmembers Anthony Wilder, Glen Blanscet and John Sutter. Councilmembers James Lawrence and Bob Garza were absent. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy and Chrystal Davis, City Attorney Meredith 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 5:48 p.m.

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

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

2. Council will convene in **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. Council did not convene in Executive Session.

*****WORKSESSION*****

4. Discuss **Neighborhood Camera Program Feasibility Assessment.**

Elliott J. Reep, Emergency Management Coordinator, stated that during the Strategic Planning Session held last year, Council expressed interest in the possibility of partnering with neighborhoods to purchase and install security/surveillance cameras. He presented the findings of a feasibility study noting that The Highlands Neighborhood Association was used for the case study and he talked about legal and administrative concerns. Staff recommended that the City not fund any camera initiatives, either through dedicated grants or cost-share structures and a recommended solution was for neighborhoods or citizens to install their own cameras which they could give video access to police if they wish. City Attorney Meredith Ladd talked about liability concerns due to privacy issues. Mayor Marchant suggested that should the City decide to move forward with a program, the privacy issues would warrant a pretty high neighborhood majority approval to fund the cameras. Deputy Mayor Pro Tem Babick suggested that a structured neighborhood association be required and suggested getting input from NAC.

5. Discuss **Appointment Of Planning And Zoning Liaison To The Traffic Advisory Committee.**

Mayor Marchant noted that this topic was discussed during the Strategic Planning Retreat and the purpose of the position was to coordinate development, traffic and information between the two boards. A consensus was reached to direct the Commission to select a liaison and that it not be the same person who is the liaison to the CIPAC.

6. Mayor and Council reports and information sharing.

Mayor Marchant adjourned the Worksession to convene the Regular Meeting at 6:51 p.m.

*****REGULAR MEETING*****

Mayor Marchant called the Regular Meeting to order at 7:00 p.m.

INVOCATION – Councilmember Glen Blanscet

PLEDGE OF ALLEGIANCE – Deputy Mayor Pro Tem Steve Babick

PRESENTATIONS

7. Present A Proclamation Honoring The Clover Scouts

Mayor Marchant announced that the Public Forum item would be heard after the conclusion of the 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 opened the floor for a motion on Items 9-15 and 17-20.

Mayor Pro Tem Hrbacek moved approval of Items 9 – 15 and 17-20; second by Councilmember Blanscet and the motion was approved with a unanimous 5-0 vote.

MINUTES

***9. Consider Approval Of The March 21, 2017 Regular Meeting Minutes.**

BIDS & PURCHASES

***10. Consider Approval Of The Purchase Of One (1) Concrete Saw From Barnsco In An Amount Not To Exceed \$28,635.75.**

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

CONTRACTS & AGREEMENTS

***12. Consider Authorizing The City Manager To Approve Contract Amendment #1 With Huitt-Zollars, Inc. For Design Modifications For Erosion Control On Indian Creek From**

Hebron Parkway To Immediately North Of The Indian Creek Golf Course For The Indian Creek 2 Project In The Amount Of \$9,000.00.

***13. Consider Authorizing The City Manager To Approve A Professional Services Contract With Perkins+Will For The Carrollton Facilities Conceptual Bond Planning Study In An Amount Not To Exceed \$40,000.00.**

ORDINANCE

***14. Consider An Ordinance Amending Chapter 31, The Comprehensive Fee Schedule, Effective May 1, 2017.**

RESOLUTIONS

***15. Consider A Resolution Authorizing The City Manager To Enter Into A Local Project Advance Funding Agreement With The Texas Department Of Transportation To Construct A Drainage Culvert Under The IH-35E Northbound Frontage Road At Vandergriff Drive In The Amount Of \$441,873.25; And Providing An Effective Date.**

~~***16. Consider A Resolution Authorizing The City Manager To Negotiate And Execute An Economic Development Incentive Agreement With Josey Trinity Plaza, Ltd. At 2540 North Josey Lane, 1910 East Trinity Mills Road And 2510 North Josey Lane In An Amount Not To Exceed \$208,000.00.**~~

***17. Consider A Resolution Appointing A Member To Serve On The Library Board.**

***18. Consider A Resolution Of The City Council Of The City Of Carrollton, Texas, To Suspend The April 21, 2017 Effective Date Of Oncor Electric Delivery Company's Requested Rate Change To Permit The City Time To Study The Request And Establish Reasonable Rates, And To Approve Cooperation With The Oncor Cities Steering Committee To Hire Legal And Consulting Services To Negotiate With The Company, To Make Recommendations Regarding Reasonable Rates, And To Intervene And Direct Any Necessary Administrative Proceedings Or Litigation Associated With An Appeal Of A Rate Ordinance Or A Rate Case Filed With The City.**

***19. Consider A Resolution To Acknowledge The Expiration Of A Reservation Of Right-Of-Way At The Intersection Of Hebron Parkway And Old Denton Road To Affirm There Is No Public Need For Further Reservation Of Right-Of-Way; And Providing An Effective Date.**

***20. Consider A Resolution Supporting A Grant Application To The North Central Texas Council Of Governments For The 'Safe Walks To School' Sidewalk Improvement Program; And Providing An Effective Date.**

PUBLIC HEARING-CONSENT AGENDA

~~***21. Hold A Public Hearing To Consider An Ordinance To Amend The Zoning And Establish A Special Use Permit For All Other Amusement And Recreation Industries (Personal Vehicle Storage/Garage Condominium) On An Approximately 2.55-Acre Tract, Zoned PD-91 For The (C/W) Commercial/Warehouse District Located In The Vicinity Of The Southeast**~~

~~Corner Of Marsh Ridge Road And Reeder Drive; Amending The Official Zoning Map Accordingly. Case No. 03-17SUP2 Garages Of Texas. Case Coordinator: Loren Shapiro.~~

CONSENT AGENDA ITEMS PULLED FOR SEPARATE CONSIDERATION.

***16. Consider A Resolution Authorizing The City Manager To Negotiate And Execute An Economic Development Incentive Agreement With Josey Trinity Plaza, Ltd. At 2540 North Josey Lane, 1910 East Trinity Mills Road And 2510 North Josey Lane In An Amount Not To Exceed \$208,000.00.**

Mayor Pro Tem Hrbacek moved approval of Item 16; second by Councilmember Sutter.

Councilmember Wilder stated he would vote against the item. He stated he was happy to see what is happening at the facility but would prefer it to happen without the participation of the City.

The motion was approved with a 4-1, Councilmember Wilder opposed.

***21. Hold A Public Hearing To Consider An Ordinance To Amend The Zoning And Establish A Special Use Permit For All Other Amusement And Recreation Industries (Personal Vehicle Storage/Garage Condominium) On An Approximately 2.55-Acre Tract, Zoned PD-91 For The (C/W) Commercial/Warehouse District Located In The Vicinity Of The Southeast Corner Of Marsh Ridge Road And Reeder Drive; Amending The Official Zoning Map Accordingly. Case No. 03-17SUP2 Garages Of Texas. Case Coordinator: Loren Shapiro.**

Mayor Marchant noted that Councilmember Sutter recused himself from discussion and consideration of the item and had removed himself from the Chamber.

Mayor Pro Tem Hrbacek moved approval of Item 21; second by Councilmember Blanscet and the motion was approved with a 4-0 vote, Councilmember Sutter abstained.

Councilmember Sutter returned to the meeting.

PUBLIC HEARING - INDIVIDUAL CONSIDERATION

22. Hold A Public Hearing To Consider An Ordinance To Amend The Zoning On An Approximately 1.53-Acre Tract Zoned Planned Development 52 (PD-52) And Located Generally On The West And South Sides Of St. Pierre Drive And East Side Of Le Mans Drive To Allow For Changes To Various Development Regulations Including Setbacks And Access; Amending The Official Zoning Map Accordingly. Case No. 02-17Z1 Josey Park Estates, Block A, Lots 16R-21R. Case Coordinator: Loren Shapiro.

Chief Planner Loren Shapiro provided a brief presentation to amend PD 52 to reduce the front setback on Lots 17 and 18 and explained that the developer requested the change due to a history of erosion and failure of a retaining wall. The reduction in the front setback to 5 ft would allow a greater envelope since the property slopes substantially on the back end. He referred to the concept plan exhibit.

Mayor Marchant opened the public hearing and invited speakers to address the Council. There being no speakers, he closed the public hearing and opened the floor for a motion.

Deputy Mayor Pro Tem Babick moved approval of Item 22; second by Mayor Pro Tem Hrbacek and the motion was approved with a unanimous 5-0 vote.

23. Hold A Public Hearing And Consider An Ordinance Accepting The Service And Assessment Plan And Assessment Roll And Approving A Reimbursement Agreement For The Carrollton Castle Hills PID No. 2, Generally Located Near The Northwest Corner Of The Intersection Of Parker Road/FM 544 And Josey Lane.

Mayor Marchant stated the item pertained to a recently annexed portion of Hebron into Carrollton and stated the PID allows for a method of development wherein the developer puts in the infrastructure and the homeowners pay the debt through an assessment. He stressed that while the City authorizes the structure, it does not incur any long or short term liability for the infrastructure.

Mayor Marchant opened the public hearing;

Austin Stroh, 2119 Via Estrada, asked if there was something in place to require this type of funding to obtain approval to be used again to avoid consumer abuse. Mayor Marchant explained that any PID requires Council approval.

Mayor Marchant closed the public hearing and opened to floor for a motion.

Mayor Pro Tem Hrbacek moved approval of Item 23 with the changes in Sec 4.2 as discussed in the Worksession; second by Deputy Mayor Pro Tem Babick.

Councilmember Wilder stated he was very grateful for the work the developer is doing and felt the product was fantastic. He stated he does not agree with the PID approach and would vote against the item.

The motion was approved with a 4-1 vote, Councilmember Wilder opposed.

PUBLIC FORUM

8. 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.

The following individuals spoke in favor of 287g;

Lisa Sutter, 2676 Waterford Way; William Collier, 1913 Crestside Drive; Terry Bush and Jim Bush, 4020 Windy Crest Circle registered support but did not wish to speak; Karen Charles, 2112 Southmoor Drive; David Charles, 2112 Southmoor Drive; Camille Johnson, 1910 Camden Way;

Tom Mayfield, 1805 Glengarry Drive; Anita Clowers, 2408 Glen Morris Road, registered support but did not wish to speak; Diana Thompson, 2223 Belton Drive; Peggy Stodola, 2311 Heatherwoods Way;

The following individuals spoke in opposition to 287g;

Austin Stroh, 2119 Via Estrada; Steven Luc, 2417 Via Del Sur registered opposition but did not wish to speak; Barbara Vibbert, 2417 Via Del Sur; Zul Mohamed, 1616 Bennington Dr; Nolan Adams (no address given);

There being no other speakers, Mayor Marchant adjourned the meeting at 8:34 pm.

ATTEST:

Laurie Garber, City Secretary

Matthew Marchant, Mayor