

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
NOVEMBER 7, 2023**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, November 7, 2023 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.

5:45 P.M. – COUNCIL BRIEFING ROOM

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

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

The Executive Session was convened prior to Item. 1.

1. Receive information and discuss Agenda.

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

2. Council convened into Executive Session at 5:45 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 551.087** to discuss Economic Development.
3. Council reconvened in Open Session at 6:27 p.m. to consider action, if any, on matters discussed in the Executive Session. No action taken.

Following the conclusion of the Executive Session Mayor Babick addressed Agenda Item 1, then proceeded with the remainder of Worksession items below.

*****WORKSESSION*****

4. Receive Update On Employee Health Plan.

Samantha Dean, Workforce Services Director, briefed the Council regarding the health related benefits provided by the City to its employees. Two in particular, Cigna and Care ATC were discussed. Account managers for both were present.

Ms. Dean advised that the City started with Cigna in 2017 and are in contract with them until 2025. She advised that for 2024 the out of pocket maximum is lower and the specialist copay is lower. Additionally, supplemental insurance options are being provided as well as two (2) network options. Rates were provided.

Ms. Dean explained that Care ATC is an employer sponsored clinic that the City entered into a five-year contract with this year. Benefits include a full-time behavioral health counselor, no cost telemedicine services, vaccines, Fire fighter annual physicals, over-the-counter medicines available on site, and seven (7) clinics in the area to choose from. One of these is located in Carrollton. Ms. Dean provided an overview of improvements to employee health statistics that have been documented since Care ATC has been part of the City’s program.

Councilmember Axberg inquired if employee injuries are handled at the clinic. Ms. Dean responded no that there is a separate vendor for injuries.

City Manager Erin Rinehart added that by using the clinic, employees are less likely to lose time during the workday. Additionally, she noted that employees are required to complete a personal health assessment each year and as a result of this program the employees are healthier overall.

5. Mayor And Council Reports And Information Sharing.

Worksession concluded at 7:06 p.m.

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

Mayor Babick called the Regular meeting to order at 7:15 p.m.

INVOCATION – Councilmember Jason Carpenter

PLEDGE OF ALLEGIANCE – Councilmember Daisy Palomo and Scouts led the Pledges.

PUBLIC COMMENT

6. 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 floor for public comment with no speakers. The public comment period was closed.

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 that Items 15 and 21 are being pulled from the Consent Agenda for separate consideration.

Mayor Pro Tem Cline moved to approve Consent Agenda Items 7-14 and Items 16 - 20; second by Councilmember Palomo. The motion was approved with a unanimous 7-0 vote.

MINUTES

- *7. Consider Approval Of The August 15, 2023 Regular Meeting Minutes.
- *8. Consider Approval Of The September 12, 2023 Regular Meeting Minutes.
- *9. Consider Approval Of The September 26, 2023 Regular Meeting Minutes.

BIDS & PURCHASES

- *10. Consider Award Of RFP #24-002 For Concrete Base Failure Repairs To B & E Concrete Paving LLC In An Amount Not To Exceed \$1,000,000.00.
- *11. Consider Approval Of The Replacement Of The Resin Flooring In The Rosemeade Recreation Center Showers And Restrooms By Business Flooring Specialist, Inc. Through An Interlocal Agreement With The BuyBoard Purchasing Cooperative In An Amount Not To Exceed \$89,336.00.
- *12. Consider Approval Of The Purchase Of Three Chevrolet Blazers From Lake Country Chevrolet Through An Interlocal Agreement With The TIPS Purchasing Cooperative In An Amount Not To Exceed \$116,689.00.
- *13. Consider Approval Of The Purchase Of Twelve Tahoes From Lake Country Chevrolet Through An Interlocal Agreement With The TIPS Purchasing Cooperative In An Amount Not To Exceed \$937,295.55.
- *14. Consider Approval Of The Purchase Of Five Ford F-150 Trucks From Sam Pack Five Star Ford Through An Interlocal Agreement With The BuyBoard Purchasing Cooperative In An Amount Not To Exceed \$248,383.00.
- *15. Consider Rejecting All Proposals Received For RFP 23-040, Background Drug & Alcohol Testing Services.

Councilmember Axberg recused himself from the discussion of this item and stepped away from the dais. A separate vote was taken on this item.

Mayor Pro Tem Cline moved to approve Consent Agenda Item 15; second by Deputy Mayor Pro Tem Pendleton. The motion was approved with a 6-0 vote. Councilmember Axberg recused himself.

CONTRACTS & AGREEMENTS

- *16. Consider Authorizing The City Manager To Execute Change Order No. 2 With 3D Paving And Contracting, LLC For Additional Work As Part Of The Crosby Estates, Section 1 Paving and Drainage Improvements Project, In An Amount Not To Exceed \$60,400.00, Increasing The Total Project Contract To An Amount Not To Exceed \$3,929,865.37.

ORDINANCES

- *17. Consider An Ordinance Amending Section 151.54 Of The Sign Code Related To The (TC) Transit Center Zoning District.

RESOLUTIONS

- *18. Consider A Resolution Accepting The Investment Officer’s Fourth Quarter And Annual Report And Investment Strategies For Fiscal Year Ending September 30, 2023.
- *19. Consider A Resolution Adopting The Investment Policy As A Fulfillment Of The Public Funds Investment Act Chapters 2256.005 and 2256.025.
- *20. Consider A Resolution Authorizing The City Manager To Negotiate And Execute Professional Services Contracts With Braun Intertec Corporation; ECS Southwest, LLP; Henley-Johnston & Associates, Inc. And Terracon Consultants, Inc. For Engineering Services For Geotechnical And Material Testing In An Aggregate Amount Not To Exceed \$1,000,000.00.
- *21. Consider A Resolution Authorizing The City Manager To Enter Into An Interlocal Cooperation Agreement With Dallas County MHMR (dba Metrocare Services) To Provide Mental Health Services For Carrollton Citizens And Authorize The Funding Of A Full-Time Qualified Mental Health Practitioner-Community Service Position.

This item was pulled from the Consent Agenda for separate consideration.

Councilmember Palomo moved to approve Consent Agenda Item 21; second by Deputy Mayor Pro Tem Pendleton. The motion was approved with a unanimous 7-0 vote.

PUBLIC HEARING – INDIVIDUAL CONSIDERATION

- 22. Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Amend Planned Development No. 130 (PD-130) For The (LR-1) Local Retail District To Allow A ‘Pet Day Care For Grooming’ Use Located At 1060 West Frankford Road, Suite 103; Amending The Official Zoning Map Accordingly. Case No. PLZPD 2023-088 Dog Grooming.

Loren Shapiro, Planning Manager, advised this item is to amend an existing PD to allow for dog grooming services as a use. He provided a location map, advising the business would occupy one suite. He stated there would be no overnight stays or veterinarian services. One public comment card was received expressing concerns; others were received in support. Staff is recommending approval.

Mayor Babick asked if the applicant would like to speak.

The applicant, Hyunsook Woo, 1060 W. Frankford Rd. #103, and copartner Young Ko, 1220 W. Trinity Mills Rd. #2009, both Carrollton residents, spoke about the request.

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

Mayor Pro Tem Cline moved approval of Item 22; second by Deputy Mayor Pro Tem Pendleton. The motion was approved with a unanimous 7-0 vote.

23. **Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Repeal Special Use Permit No. 201 (SUP-201) At 1300 South IH-35E For Retail Automotive Sales And Indoor Accessory Auto Repair, And Special Use Permit No. 338 (SUP-338) At 1875 North IH-35E For A Used Car Dealer; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2023-097 Repeal Of Two SUPs.**

Loren Shapiro, Planning Manager, advised that these SUPs are no longer in use. One was for a former auto dealer and is now an auto repair company. The second was for auto sales and repair. A location map was reviewed. No opposition from the property owners was received. Staff recommends approval.

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

Deputy Mayor Pro Tem Pendleton moved approval of Item 23; second by Councilmember Carpenter. The motion was approved with a unanimous 7-0 vote.

OTHER BUSINESS

24. **Consider Finding That An Imminent Public Health Situation Exists Necessitating Authorizing The City Manager To Obtain All Services Necessary To Repair Or Demolish The Structure Located at 2499 Vaquero Lane In Order To Preserve And Protect The Public Health Or Safety Of The City's Residents, An Exemption From The Requirements Set Forth In Section 252.021 Of The Texas Local Government Code.**

Mayor Pro Tem Cline moved approval of Item 24; second by Deputy Mayor Pro Tem Pendleton. The motion was approved with a unanimous 7-0 vote.

PUBLIC FORUM

25. **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.**
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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.

A representative from the BAPS Shri Swaminarayan Mandir spoke about an upcoming Diwali Festival, Festival of Lights, to be held in Irving on November 13th. An invitation was extended to the Council to attend this multi-day, cultural festival.

Mayor Babick closed the public forum.

ADJOURNMENT - Mayor Babick adjourned the meeting at 7:32 p.m.

ATTEST:

Chloe Sawatzky, City Secretary

Steve Babick, Mayor