

**CARROLLTON CITY COUNCIL
REGULAR WORKSESSION AND MEETING
MARCH 17, 2015**

The City Council of the City of Carrollton, Texas convened in a Regular Worksession and Meeting on Tuesday, March 17, 2015 at 5:45 p.m. with the following members present; Mayor Marchant, Mayor Pro Tem Bob Garza, Deputy Mayor Pro Tem Anthony Wilder, Councilmembers Kevin Falconer, Doug Hrbacek, Lisa Sutter, and Steve Babick. Councilmember Jeff Andonian was absent. Also present were Assistant City Managers Marc Guy and Erin Rinehart, City Controller Pamela Hodges, City Attorney Meredith A. Ladd and City Secretary Krystle Nelinson.

5:45 P.M. – COUNCIL BRIEFING ROOM

*****PRE-MEETING/EXECUTIVE SESSION*****

Mayor Marchant called the meeting to order at 5:49 p.m. Councilmember Falconer arrived at 6:35 p.m.

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

*****WORKSESSION*****

Mayor Pro Tem Garza called the Worksession to order at 5:56 p.m.

- 4. Discuss May-June-July 2015 Council Meeting Calendar Dates.**

No changes made to the proposed calendar. Mayor Marchant noted that the Carrollton Trails 5K would be held May 2, 2015 and the Independence Day Fireworks would be on July 4 at Josey Ranch Lake.

- 5. Discuss Naming Baseball Field #1 At Thomas Park.**

Councilmember Hrbacek suggested Shane Patterson. He explained that Patterson grew up in Carrollton and played baseball at Jimmy Porter Park and Thomas Park. In January of his senior year at Newman Smith, Patterson died in a car accident just before the start of baseball season. A group dedicated to remembering Patterson would hold a honorary softball game between alumni of Newman Smith High School and RL Turner High School on March 28, 2015 at Baseball Field #1 at Thomas Park.

Mayor Marchant advised that a formal process was in place for naming fields and parks, and any suggestion would be heard by the Parks Board for a recommendation to the Council. He also stated that the City would also have to take action on whether or not to accept any funding. A consensus was reached to move forward as suggested.

- 6. Mayor and Council reports and information sharing.**

Mayor Pro Tem Garza adjourned the Worksession at 6:19 p.m. to convene in Executive Session.

2. Council convened in **Executive Session** at **6:20 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 551.072** to discuss certain matters regarding real property.
- **Section 551.087** to discuss Economic Development.

3. Council **reconvened in open session at 6:57 p.m.** to consider action, if any, on matters discussed in the Executive Session. No action taken.

*****REGULAR MEETING 7:00 PM*****

Mayor Pro Tem Garza called the Regular Meeting to order at 7:08 p.m. He announced that Mayor Marchant was not present and that Councilmember Andonian excused himself from the meeting earlier.

INVOCATION – Councilmember Kevin Falconer

PLEDGE OF ALLEGIANCE – Girl Scout Troop 3519

PRESENTATIONS

7. Present **Presidential Volunteer Service Awards.**

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 addressed the Council regarding low water flow and pressure, and asked that the problem be addressed during the ongoing water main project and addressed the Impact Fee suggestion:

Leilani Lamartine and Steve Woods, 2228 Arbor Crest Drive;

Gary Pasternak, 2233 Arbor Crest Drive;

Matt Garrett, 2226 Arbor Crest Drive, representing the HOA.

The following individuals submitted cards in support of the speakers:

Barbara Gardsbane, 2225 Arbor Crest Drive;

Thomas L. and Anne M. Davis, 2224 Arbor Crest Drive;

De Flott, 2229 Arbor Crest Drive;

Sam and Maryann Esquenaie, 2230 Arbor Crest Drive;

Gary Miller, 2234 Arbor Crest Drive;

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 advised that Item 20 would be pulled from the Consent Agenda to be heard separately. Councilmember Falconer requested that Item 16 be pulled from the Consent Agenda and considered at the next meeting because he felt it would be better to make the provision effective city wide rather than just in the Transit Center District.

Councilmember Falconer moved to table Item 16 to the April 7 meeting; second by Hrbacek. Discussion was held. The motion was approved with a 4-2 vote, Deputy Mayor Pro Tem Garza and Councilmember Sutter opposed.

Councilmember Hrbacek moved approval of the Consent Agenda for Items 9 – 15, 17 and 18 noting that Item 19 was pulled by acclamation in the Worksession; second by Councilmember Babick and the motion was approved with a unanimous 6-0 vote.

MINUTES

***9. Consider Approval Of The March 3, 2015 Regular Meeting Minutes.**

BIDS & PURCHASES

***10. Consider Approval Of The Performance Of A Compensation And Classification Study For Carrollton Workforce Services From Public Sector Personnel Consultants (PSPC) In An Amount Not To Exceed \$30,000.00.**

***11. Consider Approval Of The Purchase Of Pool Chemicals For City Swimming Pools For The Parks Department From Multiple Vendors In An Amount Not To Exceed \$79,423.00.**

***12. Consider Approval Of The Purchase Of Two (2) Replacement Playgrounds By Webuildfun, Inc. Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$105,000.00.**

***13. Consider Approval Of RFP #15-020 For Boring & Trenching For Multiple Departments From Roadway Solutions In An Amount To Not Exceed \$84,500.00.**

CONTRACTS & AGREEMENTS

***14.** Consider Authorizing The City Manager To Approve A Professional Services Contract With Teague Nall & Perkins, Inc. For Development Of Erosion Control For Furneaux 1A Channel Improvements (From Menlo Park/Alameda Drive Intersection To The Confluence With Furneaux Creek Between McCoy And Old Denton Road) In An Amount Not To Exceed \$219,200.00.

ORDINANCE

***15.** Consider An Ordinance Amending Title IX, Chapter 94, “Swimming Pools”, To Regulate Public Swimming Pool, Spa And Interactive Water Feature And Fountain Operations And Maintenance, And Title III, Chapter 31, “Comprehensive Fee Ordinance”, Of The City Of Carrollton Code Of Ordinances.

~~***16.** Consider An Ordinance Amending Title XI, Chapter 116, “Restaurants And Food Establishments”, To Allow Dogs On Food Establishment Patios In The (TC) Transit Center District, And Title III, Chapter 31, “Comprehensive Fee Ordinance”, Of The Carrollton Code Of Ordinances.~~

RESOLUTIONS

***17.** Consider A Resolution Authorizing The City Manager To Enter Into An Economic Development Incentive Agreement With The Old Downtown Carrollton Association (ODCA) In An Amount Not To Exceed \$8,190.00.

***18.** Consider A Resolution Authorizing The City Manager To Enter Into A Purchase And Sale Contract For 0.174 Acres Of Land At 1030 - 1034 Elm Street, Being The Original Town Of Carrollton, Block M, A Portion Of Lot 2, Lot 3, Lot 4, And 3 Feet Of Lot 5, City Of Carrollton, Dallas County, Texas.

~~***19.** Consider A Resolution Authorizing The City Manager To Enter Into A Redevelopment Incentive Agreement With The Owner Of 1309 South Broadway.~~

PUBLIC HEARING-CONSENT AGENDA

***20.** Hold A Public Hearing And Consider An Ordinance To Establish A Special Use Permit To Allow A Used Car Dealership With Special Conditions On An Approximately 6.1-Acre Tract Located At 3216 Kellway Drive And 2311 Midway Road, Amending Accordingly The Official Zoning Map. Case No. 02-15SUP2 Earth Motor Cars/Frank Cortese. Case Coordinator: Christopher Barton.

Christopher Barton, Chief Planner, presented the request stating approval would allow for the outdoor display of used vehicles. The case was originally considered by the Planning & Zoning Committee on February 5, 2015 with a recommendation of approval; however due to a minor error in the case caption reconsidered the case on March 5, 2015 and again received a recommendation for approval. He advised that staff has not received any public opposition to the request and noted that the proposed landscape plan would exceed the City’s minimum

requirements. Staff recommended approval. He further stated that a stipulation to prohibit shade structures or carports could be added at the Council's choosing.

Alan Hill, Architect for the applicant, referred to a rendering of the site and noted that the area was in the flood zone. He talked about the flood mitigation and proposed landscape plan. He stated they were a high-end dealer and wanted to present that perspective to the public. He noted that because the parking lot would be elevated, the shrubbery would screen the vehicles from the public view. He advised that the site plan would take precedence over the rendering for purpose of landscaping.

Frank Cortese, owner, stated they had no objections to a stipulation prohibiting shade or canopy structures.

Councilmember Babick moved to approve Case No. 02-15SUP2 Earth Motor Cars with the added stipulation prohibiting shade structures or canopies on the parking area; second by Councilmember Sutter. Councilmember Sutter voiced her opposition to the stipulation and stated she would vote in favor of it because the applicant was in agreement with it. **The motion was approved with a unanimous 6-0 vote.**

ADJOURNMENT

Mayor Marchant adjourned the meeting at 7:50 p.m.

ATTEST:

Krystle Nelinson, City Secretary

Matthew Marchant, Mayor