

**CARROLLTON CITY COUNCIL
REGULAR WORKSESSION AND MEETING
JULY 12, 2016**

The City Council of the City of Carrollton, Texas convened in a Regular Worksession and Meeting on Tuesday, July 12, 2016 at 5:45 p.m. with the following members present; Mayor Pro Tem Doug Hrbacek, Deputy Mayor Pro Tem Steve Babick, Councilmembers Bob Garza, John Sutter and James Lawrence. Mayor Matthew Marchant and Councilmembers Anthony Wilder and Glen Blanscet were absent. Also present were City Manager Leonard Martin, Assistant City Managers Marc Guy, Bob Scott, and Erin Rinehart, City Attorney Meredith Ladd and City Secretary Laurie Garber.

5:45 P.M. – COUNCIL BRIEFING ROOM

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

Mayor Pro Tem Hrbacek called the meeting to order at 5:52 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.
 - **Section 551.072** to discuss certain matters regarding real property.
 - **Section 551.087** to discuss Economic Development
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 **DART Bus Stop Improvements.**

Transportation Engineering Manager Tom Hammons briefed the Council on the improvements made at 14 DART bus locations since 2012. He underscored that DART covers most of the expenses noting that to date the City has spent \$9,250.00. He advised that the shelters were customized for Carrollton and reviewed each location providing before and after photographs. Future improvement locations are westbound Keller Springs west of Overture; northbound Josey north of Hebron; westbound Belt Line west of Kelly and northbound Hutton south of Valwood.

Mayor Pro Tem Hrbacek voiced his appreciation for the work and encouraged continuation of the program.

5. Discuss August-September-October 2016 Council Meeting Dates.

A consensus was reached in favor of holding meetings on August 2 and 16; September 6 and 20, and October 18.

6. Discuss Tree Replacements Underneath Oncor Power Lines.

City Secretary Laurie Garber provided an overview of locations using photographs to illustrate the rating of the trees and locations. Those receiving a Priority 1 rating would be addressed as soon as possible; Priority 2 ratings would be watched and reviewed in two years; and Priority 3 rating would be watched and reviewed in five years. She provided replacement costs for Priority 1 locations of approximately \$75,000.00 and asked for direction. She explained that trees under power lines would be replaced with ornamental trees that would not reach the same height as the existing trees.

After discussion a consensus was reached to move forward as recommended with Priority 1 trees.

7. Mayor and Council reports and information sharing.

Mayor Pro Tem Hrbacek recessed the Worksession at 6:34 pm to convene the Regular Meeting.

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

Mayor Pro Tem Hrbacek called the Regular Meeting to order at 7:00 p.m. and asked the audience to stand and observe a moment of silence for Dallas and the first responders everywhere.

INVOCATION – Councilmember James Lawrence

PLEDGE OF ALLEGIANCE – Councilmember Bob Garza

PRESENTATIONS**8. Present A Proclamation Declaring July As Park & Recreation Month.****PUBLIC FORUM**

9. 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.

Tracy Buck, 2125 McParland Court, addressed the Council about what has recently been described to the neighborhood as a private drive that the HOA would be partially responsible for maintaining. She stated that the neighborhood has no direct access to the road and noted that it is highly travelled by the community. She asked for assistance from the City to address the issue and also stated the neighborhood does not have the funds to maintain the driveway/roadway.

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 Pro Tem Hrbacek advised that Item 28 and 29 was moved from the consent agenda and inserting the name of Jim Carter on Item 27.

Councilmember Garza moved approval of Consent Agenda Items 10-27 and 30 and adding the name 'Jim Carter' under Item 27; second by Councilmember Lawrence.

Deputy Mayor Pro Tem Babick noted the appropriateness of proclaiming July as Parks & Recreation month noting the four items on the agenda that deal with recreation and leisure activities specifically noting the furnishings for the Senior Center.

The motion was approved with a unanimous 5-0 vote, Wilder and Blanscet absent.

MINUTES

***10. Consider Approval Of The June 7, 2016 Regular Meeting Minutes.**

***11. Consider Approval Of The June 17, 2016 Special Meeting And Strategic Planning Session Minutes.**

BIDS & PURCHASES

***12. Consider Approval Of The Purchase Of One Replacement 100' Aerial Ladder Truck From Hall Buick, Pontiac, GMC (A Ferrara Fire Apparatus Dealer) Through An Interlocal Agreement With BuyBoard In An Amount Not To Exceed \$1,187,643.**

***13. Consider Approval Of RFP #16-026 For Nursery Stock For The Parks Department From Various Vendors In An Amount To Not Exceed \$ 73,000.**

***14. Consider Approval Of Bid #16-028 For Asphalt For Public Works From Various Vendors In An Amount Not To Exceed \$98,526.00.**

***15. Consider Approval Of RFP #16-025 For Concrete Work At Various Sites From Vescorp Construction In An Amount Not To Exceed \$137,240.**

***16. Consider Approval Of The Purchase Of Furniture For The Senior Center From Various Vendors In An Amount Not To Exceed \$41,000.**

CONTRACTS & AGREEMENTS

- *17. Consider Approval Of An Addendum To The Ground Lease Agreement With Blue Sky Sports Of Carrollton, LP.**
- *18. Consider Approval Of A Development And Transfer Agreement With Arthur James, Inc.**
- *19. Consider Authorizing The City Manager To Approve Contract Amendment #1 With Bridgefarmer And Associates For Design Modifications For The Railroad Quiet Zone Phase II Project In An Amount Of \$11,500.00, For A Revised Contract Amount Not To Exceed \$120,500.00.**
- *20. Consider Authorizing The City Manager To Enter Into A Contract With ICMA-RC For Administration Of The City's Deferred Compensation, Retiree Health Savings, and Social Security Substitute (OBRA) Investment Plans.**

ORDINANCE

- *21. Consider An Ordinance Amending The Operating And Capital Budget For The Fiscal Year October 1, 2015 Through September 30, 2016.**

RESOLUTIONS

- *22. Consider A Resolution Supporting A Municipal Setting Designation For Property Generally Located At 11602, 11616, 11634, 11642 And 11650 Harry Hines Boulevard, 11613, 11621, 11637, 11661 And 11663 Denton Drive, And 2536 Forest Lane In The City Of Dallas.**
- *23. Consider A Resolution Authorizing The City Manager To Enter Into An Interlocal Cooperation Act Agreement With The City Of The Colony For Engineering Inspection Support Services At An Hourly Rate Of \$65; And Providing An Effective Date.**
- *24. Consider A Resolution Authorizing The City Manager To Enter Into A Contract With Grant Thornton LLP For Independent Auditing Services In An Amount Not to Exceed \$108,770.**
- *25. Consider A Resolution Authorizing The City Manager To Enter Into Single-Family Rehabilitation Incentive Agreements With Scott And Sara Hamilton For 2318 Valleywood Drive In An Amount Not To Exceed \$761.64; With Rosa Ana Gonzalez For 2430 Briarwood Lane In An Amount Not To Exceed \$324.46; With Kirk Bracey For 2312 Briarwood Lane In An Amount Not To Exceed \$266.68; With Christopher Lamendola For 2209 Lakeland Drive In An Amount Not To Exceed \$325.83; With LaJauna Dollar For 2315 Lakeland Drive In An Amount Not To Exceed \$324.16; With Melissa Battis for 2320 Halifax Drive In An Amount Not To Exceed \$297.99; And With David Elliott For 2318 Halifax Drive In An Amount Not To Exceed \$248.46.**
- *26. Consider A Resolution Authorizing The City Manager To Execute A Contract With Lindamood Demolition, Inc. For The Asbestos Abatement And Building Demolition At 1107, 1207 And 1209 Carroll Avenue Through An Interlocal Agreement With The City Of Fort Worth In An Amount Not To Exceed \$83,760.00.**
- *27. Consider A Resolution Appointing One Member To The Board Of Managers Of The Denco Area 9-1-1 District.**

~~*28. Consider A Resolution Acknowledging A Petition To Annex Two Tracts Of Land Containing Approximately 1.22 Acres Located On The South Side Of Parker Road/FM 544 West Of The Burlington Northern Santa Fe Railroad and Southern Half Of Culpepper Road, East Of Dozier Road; Directing The Development Of A Service Plan For The Proposed Annexation; Setting Dates For The Required Public Hearings; Directing The Publication Of Such Public Hearings And Providing An Effective Date. Case No. 07-16MD1 Villas at Parker, Phase 1.~~

PUBLIC HEARING-CONSENT AGENDA

~~*29. Hold A Public Hearing And Consider A Resolution Adopting The Program Year 2016 Community Development Block Grant One-Year Plan Of Action And Budget.~~

*30. Hold A Public Hearing To Consider A Technical Site Plan For A Multi-Family Residential Development On An Approximately 3.4-Acre Tract Zoned PD-45 Located At 1146 Trinity Mills Road. Case No. 06-16TSP1 Trinity Mills Village Apartments. Case Coordinator: Michael McCauley.

CONSENT AGENDA ITEMS PULLED FOR SEPARATE CONSIDERATION.

*28. Consider A Resolution Acknowledging A Petition To Annex Two Tracts Of Land Containing Approximately 1.22 Acres Located On The South Side Of Parker Road/FM 544 West Of The Burlington Northern Santa Fe Railroad and Southern Half Of Culpepper Road, East Of Dozier Road; Directing The Development Of A Service Plan For The Proposed Annexation; Setting Dates For The Required Public Hearings; Directing The Publication Of Such Public Hearings And Providing An Effective Date. Case No. 07-16MD1 Villas at Parker, Phase 1.

Chief Planner Loren Shapiro presented an overview of the proposed annexation. Should the proposed resolution be approved, it would move the annexation forward through the process.

Councilmember Sutter stated he had asked that the item be pulled because of the two existing billboards located on the property but his question had been answered. He stated he would like to see the land move into the Carrollton.

Councilmember Sutter moved approval of the Item 28; the petition to annex the two tracts of land approximately 1.22 acres; second by Deputy Mayor Pro Tem Babick and the motion was approved with a unanimous 5-0 vote, Wilder and Blanscet absent.

*29. Hold A Public Hearing And Consider A Resolution Adopting The Program Year 2016 Community Development Block Grant One-Year Plan Of Action And Budget.

Environmental Services Director Scott Hudson advised that the agenda item is to hold a public hearing and receive comments on the proposed Community Development Block Grant Program Year (PY) 2016 One-Year Plan of Action and Budget. The item also includes a proposed resolution to adopt this document. On October 1, 2016 the City of Carrollton will receive \$753,231 in Community Development Block Grant (CDBG) funds from the United States Department of Housing and Urban Development (HUD). The CDBG program is designed to address housing and community development concerns for low to moderate income families and neighborhoods. According to federal law, these funds must be used for the principal benefit of persons of low and moderate income in

Carrollton. The proposed Plan of Action fulfills these requirements. The proposed budget includes \$614,140 for the reconstruction of streets and sidewalks in the Santa Rosa Neighborhood (NOTICE), \$79,000 for the Housing Rehabilitation Repair Program, and \$60,091 for Enhanced Code Enforcement in the CDBG Target Area. All of the activities in the proposed budget are identified as major priorities in the previously adopted 2014-2018 Consolidated Plan. Lastly he advised that on June 9, 2016, the NAC voted unanimously to recommend adoption of the One-Year Plan of Action by the City Council.

Mayor Pro Tem Hrbacek opened the public hearing and as there being no speakers, he closed the public hearing and opened the floor for a motion.

Councilmember Sutter noted the good work the grant allows and the positive reaction received from the work.

Councilmember Sutter moved approval of the Resolution adopting the Program Year 2016 Community Development Block Grant One-Year Plan of Action and Budget; second by Deputy Mayor Pro Tem Babick. Mayor Pro Tem Hrbacek echoed the comments that the program has played a critical role across the community with tangible results. **The motion was approved with a unanimous 5-0 vote, Wilder and Blanscet absent.**

Mayor Pro Tem Hrbacek recognized the attendance of former Council member Terry Simons.

PUBLIC HEARING - INDIVIDUAL CONSIDERATION

31. Hold A Public Hearing To Consider An Ordinance To Amend the Zoning And Establish A Special Use Permit For A Used Car Dealership To Allow Outdoor Display With Special Conditions On A 1.65 Acre Tract Zoned Light Industrial (LI) And Located At 2317 Midway Road; Amending The Official Zoning Map Accordingly. Case No. 06-16SUP1 Auto Web Car Dealership. Case Coordinator: Loren Shapiro.

Chief Planner Loren Shapiro stated the applicant was requesting a Special Use Permit for an outdoor used car dealership. He noted the subject site was previously occupied by a Toni & Guy facility and provided a short history of the property using photographs of the location. He stated that the applicant is proposing to repave the parking lot; provide landscaping along Midway as well as within the parking lot with islands and trees; screen the existing utility transformer and will limit the number of cars to be displayed to 45 vehicles. He explained that the Code requires the applicant provide fencing and the applicant has requested that the requirement be eliminated.

Mayor Pro Tem asked the applicant if he had read staff stipulations and if he was in agreement with the stipulations and Dillon Rohani, 7010 Winding Creek Road, Dallas, replied affirmatively.

Councilmember Sutter noted the request of the applicant to delete the requirement of a fence and asked the applicant if he had an objection to a stipulation that should the applicant choose to construct a fence that it would be an ornamental wrought iron fence and Mr. Rohani replied he had no problem with the stipulation.

Deputy Mayor Pro Tem Babick moved approval of Item 31 with the modification to the stipulation regarding No. 2; security fencing shall be ornamental metal fencing if at any point in time one is installed or whatever staff deems appropriate in terms of verbiage; second by

Councilmember Garza and the motion was approved with a unanimous 5-0 vote, Wilder and Blanscet absent.

ADJOURNMENT

Mayor Pro Tem Hrbacek adjourned the meeting at 7:20 p.m.

ATTEST:

Laurie Garber, City Secretary

Doug Hrbacek, Mayor Pro Tem