

**CARROLLTON CITY COUNCIL
REGULAR WORKSESSION AND MEETING
NOVEMBER 15, 2016**

The City Council of the City of Carrollton, Texas convened in a Regular Worksession and Meeting on Tuesday, November 15, 2016 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, John Sutter, James Lawrence and Bob Garza. Also present were City Manager Leonard Martin, Assistant City Managers 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 5:47 p.m.

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

*****WORKSESSION*****

- 4. Discuss City Hall Upper Pond.**

Parks & Recreation Director Scott Whitaker stated the key issues have been the ongoing maintenance and loss of water. He reviewed the options and after a short discussion, preference was reached for the grassy option.

- 6. Discuss January-February-March 2017 Council Meeting Dates.**

A consensus was reached in favor of the following meeting dates: January 10 and 24; February 7 and 21; and March 7 and 21.

- 5. Discuss Community Funding Policy.**

City Secretary Laurie Garber began the presentation with a list of currently funded entities and reviewed the current process. She also talked about focus areas found in other cities' policies and reviewed possible changes to eligibility requirements.

Deputy Mayor Pro Tem Babick stated he liked that some of the payments were tied to quarterly reports. Councilmember Wilder stated his preference was to decrease the number to "0" from the General Fund so did not want to expand the program and did not want staff to spend more time on it. Deputy Mayor Pro Tem Babick felt the Council was clear that they did not want to solicit new entities. City Controller Pam Hodges noted that for the budget just approved the staff contacted only those that were already receiving funds and advised new requestors that an application could be submitted but it was unlikely that the request would be funded.

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

Councilmember Sutter stressed that the ISO rating upgrade being presented to the City was a big deal and expressed congratulations to the department and the City for the achieving the rating.

Mayor Marchant arrived at 6:45 pm.

Mayor Marchant adjourned the Worksession at 6:52 pm to convene in Executive Session.

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

2. Council convened in **Executive Session at 6:52 pm** 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.
 - Sewell v. Carrollton, et al
 - **Section 551.074** to discuss personnel matters
 - City Manager recruitment
3. Council **reconvened in open session at 7:02 pm** to consider action, if any, on matters discussed in the Executive Session. No action necessary.

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

Mayor Marchant called the Regular Meeting to order at 7:08 p.m.

INVOCATION – Councilmember Bob Garza

PLEDGE OF ALLEGIANCE – Local Boy Scouts

PRESENTATIONS

8. Presentation From The **State Fire Marshal's Office And The Insurance Services Office (ISO) Recognizing Carrollton's Upgrade To A Class 1 Public Protection Classification.**
9. Presentation From **Denton County Commissioner, Precinct 2.**

Presentation was conducted by Commissioner Ron Marchant.

PUBLIC FORUM

10. **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.

Liz Castaneda stated she has been a resident for almost 50 years and thanked the Council for making the City fun specifically mentioning the Festival at the Switchyard.

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 Items 16 and 19 were removed from the Consent Agenda for separate vote.

Councilmember Wilder moved approval of Consent Agenda Items 11-15, 17, 18 and 20-28; second by Councilmember Lawrence and the motion was approved with a unanimous 7-0 vote.

MINUTES

***11. Consider Approval Of The November 1, 2016 Regular Meeting Minutes.**

***12. Consider Approval Of The November 7, 2016 Special Meeting Minutes.**

BIDS & PURCHASES

***13. Consider Approving Purchase Of EBooks From Sole Source Vendor Bibliotheca In An Amount Not To Exceed \$70,000.00.**

***14. Consider Approval Of A TASER Replacement Purchase For The Police Department From TASER International In An Amount Not To Exceed \$69,996.97.**

***15. Consider Approval Of The Replacement Of The Roof On The City-Owned Building Located At 1003 Main By Heritage One Roofing, Incorporated, In An Amount Not To Exceed \$49,000.00.**

ORDINANCE

~~***16. Consider An Ordinance Amending The Code Of Ordinances (Chapter 73 "Traffic Schedules," Schedule I), To Revise School Speed Zone Hours For An Existing School Speed Zone Established On The Portion Of Frankford Road Between The East City Limits To 140 Feet West Of The Centerline Of Lockwood Drive; Providing For A Penalty, Savings And Severability Clauses; And Establishing An Effective Date.**~~

***17. Consider An Ordinance Amending The Operating And Capital Budget For The Fiscal Year October 1, 2016 Through September 30, 2017.**

RESOLUTIONS

***18. Consider A Resolution Accepting The Investment Officer's Fourth Quarter And Annual Report For Period Ending September 30, 2016.**

~~*19. Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Revised Economic Development Incentive Agreement With Realty Capital Management, LLC For 1199 North Broadway In An Amount Not To Exceed \$400,000.00.~~

***20. Consider A Resolution Adopting The Investment Policy As A Fulfillment Of The Public Funds Investment Act Section 2256.005(e).**

***21. Consider A Resolution Authorizing The City Manager To Enter Into An Interlocal Agreement For Library Services For Fiscal Year 2017.**

***22. Consider A Resolution Authorizing The City Manager To Enter Into A Local Project Advance Funding Agreement (LPAFA) With The Texas Department Of Transportation (TxDOT) For The Widening Of Sidewalks In Downtown Carrollton And Aesthetic Upgrades Of Bridge Fencing Over The Railroad On IH-35E At Belt Line Road; And Providing An Effective Date.**

***23. Consider A Resolution Authorizing The City Manager To Enter Into A Local Transportation Project Advance Funding Agreement (LPAFA) With The Texas Department Of Transportation (TxDOT) For Costs And Responsibilities In The Design And Construction Of A 2.1 Mile Hike And Bike Trail Along The Dudley Branch Corridor From The North Carrollton DART Station To Old Denton Road; And Providing An Effective Date.**

***24. Consider A Resolution Authorizing The City Manager To Enter Into An Interlocal Cooperative Agreement With Denton County To Provide Funding For Sidewalk Improvements In The Denton County Portion Of Carrollton; And Providing An Effective Date.**

***25. Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Property Rehabilitation Program Incentive Agreement With Dr. Edward Song At 1903 North Josey Lane In An Amount Not To Exceed \$3,300.00.**

***26. Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Buyer's Temporary Residential Lease At 1603 East Crosby Road, Being Francis Perry 1, Block 5, Tract 9, By And Between The City Of Carrollton And Snyder-Marriott.**

***27. Consider A Resolution Authorizing The City Manager To Enter Into A Development Agreement With TDI GP LLC For The Costs Of Lowering Approximately 50 Linear Feet Of A High Pressure Natural Gas Main Located South Of Parker Road/FM 544, East Of Plano Parkway And West Of Dozier Road; And Providing An Effective Date.**

***28. Consider A Resolution Authorizing The City Manager To Enter Into An Amended And Restated Joint Fire Training Center Interlocal Cooperation Agreement Among The Cities Of Carrollton, Coppell, And Farmers Branch, And The Town Of Addison.**

CONSENT AGENDA ITEMS PULLED FOR SEPARATE CONSIDERATION.

***16. Consider An Ordinance Amending The Code Of Ordinances (Chapter 73 "Traffic Schedules," Schedule I), To Revise School Speed Zone Hours For An Existing School Speed Zone Established On The Portion Of Frankford Road Between The East City Limits To 140**

Feet West Of The Centerline Of Lockwood Drive; Providing For A Penalty, Savings And Severability Clauses; And Establishing An Effective Date.

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

Deputy Mayor Pro Tem Babick acknowledged Sandy Grayson with Dallas City Council as well as Traffic Director Bonham Bonashirum for taking this to the next level in terms of addressing the Kelly school zone as well which is in Dallas.

The motion was approved with a unanimous 7-0 vote.

***19. Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Revised Economic Development Incentive Agreement With Realty Capital Management, LLC For 1199 North Broadway In An Amount Not To Exceed \$400,000.00.**

Councilmember Garza moved approval of Item 19; second by Deputy Mayor Pro Tem Babick.

Councilmember Sutter spoke against the resolution noting he voted against the original agreement since the Council had previously granted concessions to the project and now that it appeared that the street construction won't cost as much as originally projected, the project is wanting to spend the funds on other items up to and including a building sign. He stated he would prefer that the Council reduce the amount from \$400,000 to the actual amount to be spent on the streets. He stated he could not support the dollars being spent for additional items other than the street. He further pointed out that the project continues to be delayed and there continued to be requests for changes.

Councilmember Wilder echoed Councilmember Sutter's sentiments. He stated that although he may have voted in favor of the item originally because the funds would be spent on the street, he now was hesitant to be supportive. He also voiced a concern about the requested delay of the project. He stated he wanted the project to occur but could not support the revision and would vote against the motion.

Deputy Mayor Pro Tem Babick recognized that the project has taken a long time and noted that the project would bring additional residents to the downtown area to drive growth and prosperity. He stated the street would be enhanced to meet City standards and remaining funds would address streetscaping, relocation of overhead electrical lines, improved storm water service and lastly, possibly signage. He encouraged Council to vote in favor of the motion.

Councilmember Lawrence asked Councilmember Garza to amend the motion to strike "E" which is the marquee sign and leaving the other largely public items on the list. Councilmember Garza stated he would agree to the amendment.

Mayor Marchant stated there was a motion from Councilmember Lawrence to amend the pending motion to delete "E" add costs of design and fabrication and installation for a marquee roof sign; second by Councilmember Blanscet and the motion was approved with a unanimous 7-0 vote.

The vote on the pending motion as amended was cast 5-2 in favor with Councilmembers Wilder and Sutter opposed. Motion approved.

PUBLIC HEARING - INDIVIDUAL CONSIDERATION

Mayor Marchant noted that items 29-32 were all regarding annexation and he would open one public hearing for all of the items.

Mayor Marchant opened the public hearings and invited any speakers on any of the items to address the Council. There being no speakers, he closed the public hearings.

29. Hold The Second Required Public Hearing To Consider An Ordinance Annexing Approximately 13.693 Acres Of Land Located Near The Southwest Intersection Of Parker Road/FM 544 And Dozier Road. Case No. 11-16MD8 Trails at Arbor Hills, Tract 1 (Annexation).

30. Hold The Second Required Public Hearing To Consider An Ordinance Annexing Approximately 9.959 Acres Of Land Located On The South Side Of Parker Road/FM544, Approximately 1,650 Feet East Of Plano Parkway. Case No. 11-16MD9 Parker Road Tract 2 (Annexation).

31. Hold The Second Required Public Hearing To Consider An Ordinance Annexing Approximately 11.885 Acres Of Land Located On The South Side Of Parker Road/FM 544, 1,100 Feet East Of Plano Parkway. Case No. 11-16MD11 Parker Road Tract 3 (Annexation).

32. Hold The Second Required Public Hearing To Consider An Ordinance Annexing Approximately 1.078 Acres Of Land Containing The East 45-Feet Of Right-Of-Way Of Standridge Drive, Between Hebron Parkway And Polser Road. Case No. 10-16MD2 Standridge Drive (Annexation).

Mayor Marchant adjourned the meeting at 7:48 pm.

ATTEST:

Laurie Garber, City Secretary

Matthew Marchant, Mayor