

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
DECEMBER 11, 2018**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, December 11, 2018 at 5:45 pm with the following members present; Mayor Kevin Falconer, Mayor Pro Tem John Sutter, Deputy Mayor Pro Tem Young Sung, Councilmembers Glen Blanscet, Mike Hennefer, Pat Cochran and Steve Babick. Councilmember Frances Cruz was absent. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy, Chrystal Davis and Bob Scott, City Attorney Meredith Ladd and City Secretary Laurie Garber.

5:45 P.M. – COUNCIL BRIEFING ROOM

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

Mayor Falconer convened the meeting at 5:49 pm and announced that Council would convene in Executive Session.

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

2. Council convened in **Executive Session at 5:49 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.
3. Council **reconvened in open session at 6:10 pm** to consider action, if any, on matters discussed in the Executive Session. No action taken.
1. Receive **information and discuss Agenda**.

*****WORKSESSION*****

5. Discuss **Various Proposed Amendments To The Comprehensive Zoning Ordinance**.

Chief Planner Loren Shapiro discussed the following summary of CZO text changes:

- Removes outdated remnant text; consolidate regulations eliminating repetitive standards in zoning districts; and updates and corrects language improving administration and enforcement;
- City Council initiated changes;
- Update land use matrix and terms and definitions;
- Special Use Permits;
- Landscape and Buffering Updates; and
- Amend references to Board of Adjustment and Planning & Zoning Commission functions

Freeway (FWY) District recommended amendments:

- Require a Special Use Permit for Warehouse & Distribution uses
- Require a Technical Site Plan for Drive Through Windows
- Prohibit Used Car sales as a Principal Use
- Prohibit automobile and motor vehicle rentals except Accessory to a new car dealership

Shapiro also reviewed regulations pertaining to the following topics:

- Carports
- Exterior façade content and materials
- Art. V – Use of Land and Structures
- Art. XXI – Special Use Permits
- Art. XXIV – Amendments to Off-Street Parking, Loading and Stacking regulations
- Art. XXV – Amendments to Landscaping and Buffering regulations
- Art. XXXIV – Definitions

4. Discuss Indian Creek Golf Club Update.

Parks & Recreation Director Scott Whitaker advised Indian Creek Golf Club was scheduled to close the Lakes Course this week and that the City was transitioning to a management contract from the revenue share contract. He noted that due to the change, there was also a need for a budget amendment and stated there is a possibility of a transfer from the General Fund although the plan is to use the FEMA reserve first. He noted it could also be the case for the following year. He stated the changes don't change the philosophy or goal of what the City is trying to accomplish.

Mayor Falconer recessed the Worksession at 6:53 pm to convene the Regular Meeting.

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

Mayor Falconer convened the Regular Meeting at 7:08 pm.

INVOCATION – Deputy Mayor Pro Tem Young Sung

PLEDGE OF ALLEGIANCE – Councilmember Steve Babick

PRESENTATIONS

8. Present A Proclamation Supporting Participation In The 2020 Census.

9. Present Team And Individual Outstanding Performance Awards To City Of Carrollton Staff.

10. Present Certificates To Environmental Leadership Award Recipients And The 2018 Environmental Distinction Award Recipient.

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 Falconer advised that Item 18 was pulled for an individual vote.

Councilmember Babick moved approval of Consent Agenda Items 11-17 and 19-28, and on Item 25, the nominee is Kathryn Taylor; second by Councilmember Blanscet and the motion was approved with a unanimous 6-0 vote, Cruz absent.

MINUTES

- *11. Consider Approval Of The November 27, 2018 Regular Meeting Minutes.**

CONTRACTS & AGREEMENTS

- *12. Consider Authorizing The City Manager To Approve A Contract With Reytech Services, LLC For The Crowley Circle Roadway Extension Project, In An Amount Not To Exceed \$780,742.97.**

- *13. Consider Authorizing The City Manager To Approve A Contract With Florida Traffic Control Devices, Inc. For The Advanced Traffic Management System (ATMS) Upgrade Project In The Amount Of \$1,014,197.68.**

- *14. Consider Authorizing The City Manager To Approve A Contract To Renew The Microsoft Volume Software License Agreement From SHI Government Solutions, Inc. Through A Texas Department Of Information Resources Cooperative Purchasing Program In An Amount Not To Exceed \$243,519.28.**

- *15. Consider Approval Of A Bid Award For Law Enforcement Software With Mark43 And Black Creek Integrated Systems Corporation For The Police Department In A Total Amount Not To Exceed \$1,266,944.80.**

- *16. Consider Authorizing City Manager To Negotiate And Execute A Contract With Orion Management Solutions For Management Of Indian Creek Golf Course In An Amount Not To Exceed \$160,000.00.**

- *17. Consider Authorizing The City Manager To Approve A Contract To For An IT Project Manager From Apex Systems, LLC Through A Texas Department Of Information Resources Cooperative Purchasing Program In An Amount Not To Exceed \$124,160.00.**

ORDINANCE

- ~~***18. Consider An Ordinance Adopting Chapter 118, “9-1-1 Emergency Services” In The City Of Carrollton Code Of Ordinances To Establish 9-1-1 Service Fees And Related Emergency Services Regulations.**~~

- *19. Consider An Ordinance Amending The Operating And Capital Budget For The Fiscal Year October 1, 2018 Through September 30, 2019.**

RESOLUTIONS

- *20. Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Professional Services Contract With Birkhoff, Hendricks And Carter, LLP For Engineering Services Related To The Modernization And Rehabilitation Of The Don Cline Pump Station In An Amount Not To Exceed \$527,700.00.**

- *21. Consider A Resolution Authorizing The City Manager To Enter Into A Multiple Use Agreement With The Texas Department Of Transportation To Allow The Construction Of A Public Parking Lot On IH-35E Right-Of-Way In Downtown Carrollton.**

***22. Consider A Resolution Authorizing The City Manager To Negotiate And Execute An Unimproved Property Contract For 0.87 Acres Of Land Located At 1314 Walnut Street, In An Amount Not To Exceed \$440,000.00.**

***23. Consider A Resolution Authorizing The City Manager To Enter Into Single-Family Rehabilitation Grant Incentive Agreements On Four Eligible Properties Located Within Neighborhood Empowerment Zones, In A Total Grant Amount Not To Exceed \$7,532.05.**

***24. Consider A Resolution For An Economic Development Incentive Agreement With Core5 Industrial Partners, LLC At 1050 Luna Road And 1150 Luna Road.**

***25. Consider A Resolution Appointing A Member To The Planning And Zoning Commission.**

***26. Consider A Resolution Submitting An Application And Accepting FY 2018 Urban Area Security Initiative And State Homeland Security Program Grant Awards, And Designating An Authorized Official for Grant Administration.**

***27. Consider A Resolution Withdrawing Consent To Participate In The Denton Area 9-1-1 Emergency Communication District (Denco).**

***28. Consider A Resolution Declaring An Intent To Reimburse Streets Improvements And Waterworks And Sewer System Improvements Capital Expenditures With Proceeds Of Future Debt Issuance.**

ITEMS REMOVED FROM CONSENT AGENDA FOR INDIVIDUAL CONSIDERATION

***18. Consider An Ordinance Adopting Chapter 118, “9-1-1 Emergency Services” In The City Of Carrollton Code Of Ordinances To Establish 9-1-1 Service Fees And Related Emergency Services Regulations.**

Councilmember Babick moved approval of Item 18 as stated; second by Councilmember Blanscet and the motion was approved with a unanimous 6-0 vote, Cruz absent.

PUBLIC HEARING - INDIVIDUAL CONSIDERATION

29. Hold A Public Hearing And Consider A Resolution To Adopt The Program Year 2017 Consolidated Annual Performance And Evaluation Report On The Use Of Community Development Block Grant Funds.

Community Services Manager Brian Passwaters advised that the item is to receive public comment and consider action on the City’s Program Year 2017 Consolidated Annual Performance and Evaluation Report (CAPER). On October 1, 2017, the City of Carrollton was allocated \$722,379 in CDBG funds from the U.S. Department of Housing and Urban Development (HUD). In accordance with federal law, these funds have been programmed for activities that primarily benefit persons of low and moderate income in Carrollton. He stated that 78% of the funds were used in the NOTICE Program to rework streets, sidewalks, sewer lines and water mains in the Woodcrest Estates neighborhood. The minor home repair program provided assistance with 11 projects for interior and exterior repairs for families that income qualified helping to maintain the basic quality of life and amounted to 11% of the budget. Enhanced Code enforcement in the apartment community located in

the older sections of the City amounted to 8.5% of the grant and resulted in 419 substandard apartments being repaired. The final project was the development of the Tyler Playground at the Crosby Recreation Center which accounted for 2% of the funding. He noted the accomplishments of the City's social services partners that support a number of the HUD objectives. He noted that using the funds appropriately is a City priority and that HUD reviews and approves all Carrollton plans and reports. He further mentioned that HUD conducts periodic audits to verify compliance. The required report has been available for citizen review on the City website as well as in the Department Office for over 30 days. It was also reviewed by the Neighborhood Advisory Commission and received unanimous recommendation for adoption by the City Council.

Mayor Falconer opened the public hearing; there being no speakers, he closed the public hearing and opened the floor for a motion.

Councilmember Babick moved approval of Item 29 as stated; second by Deputy Mayor Pro Tem Sung.

Councilmember Babick noted the importance of using funds to enhance areas that meet the HUD qualifications and commended the Environmental Services Department for administering the program. Mayor Pro Tem Sutter echoed the comments and also thanked the Neighborhood Advisory Commission for their service.

The motion was approved with a unanimous 6-0 vote, Cruz absent.

30. Hold A Public Hearing And Consider An Ordinance To Establish A Special Use Permit For A Gasoline Station On An Approximately 2.1-Acre Tract Zoned (FWY) Freeway District And Located At The Northwest Corner Of Sandy Lake Road And IH-35E, And Amending The Official Zoning Map Accordingly. Case No. 11-18SUP1 Quik Trip No. 1934.

Chief Planner Loren Shapiro presented the case for a 5,000 sq ft convenience store and 20 pump gas station with two points of access. He stated that a deceleration lane would be provided along the south side of the property and would be built as part of the improvement for the use. Staff recommended approval with the stipulations listed in the case report.

Jake Pietrus, Quik Trip Real Estate Manager, 1120 N Industrial Blvd, Euless, stated they were excited to offer a second location. He stated they were pleasantly surprised to see the award for the single operating unit and hoped to be recognized again in the future.

Mayor Falconer opened the public hearing; there being no speakers, he closed the public hearing and opened the floor for a motion.

Deputy Mayor Pro Tem Sung moved approval of Item 30; second by Mayor Pro Tem Sutter and the motion was approved with a unanimous 6-0 vote, Cruz absent.

31. Hold A Public Hearing And Consider An Ordinance Amending The Text Of Various Sections Of The Comprehensive Zoning Ordinance To Amend, Add Or Delete Regulations, Definitions, And Use Categories, And To Improve The General Organization Of The Amended Sections. Case No 11-18ZT1 CZO Text Changes/City Of Carrollton.

Shapiro presented the request noting that many of the changes were to make corrections and to eliminate redundancies. He provided an overview of the major changes.

Freeway (FWY) District recommended amendments:

- Require a Special Use Permit for Warehouse & Distribution uses
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Shapiro also reviewed regulations pertaining to the following topics:

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Mayor Falconer opened the public hearing; there being no speakers, he closed the public hearing and opened the floor for discussion. He thanked everyone involved who were instrumental in making the review and recommendations.

Mayor Pro Tem Sutter moved approval of the ordinance amending the text of various sections of the Comprehensive Zoning Ordinance with the understanding that the reference to tilt wall will address not just painting but other types of acceptable finishes and textures; second by Councilmember Babick.

Councilmember Babick voiced his appreciation for the work completed in the review and for the flexibility provided as well.

Councilmember Blanscet asked for clarification of the motion and Shapiro referred to the stipulations in the result sheet and reminded Council about single family attached and duplex for carports.

Mayor Pro Tem Sutter moved to include those items and Councilmember Babick seconded the additions. The motion was approved with a unanimous 6-0 vote, Cruz absent.

PUBLIC FORUM

32. 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.

There were no speakers.

Mayor Falconer adjourned the Regular Meeting at 7:45 pm and announced the Council would reconvene in Worksession in the Council Briefing Room. He also advised that the entire Wind Symphony would be performing on Friday at Creekview High School.

*****WORKSESSION*****

Mayor Falconer reconvened the Worksession at 7:57 pm.

6. Discuss Changes In The Boards And Commissions Process.

City Secretary/Admin Services Director Laurie Garber stated that at the 2018 Strategic Planning Session, Council requested staff review questions used on the Boards and Commissions application. Staff benchmarked applications among other area cities and pulled together a list of questions to potentially use on Carrollton's application going forward.

Discussion was held with regard to the use of alternates. Garber stated her understanding was that if a position becomes open during the year, she would present the alternate name by resolution for appointment. The second understanding is that individuals would remain as an alternate for one year until the next annual appointments in October. She explained that the alternates were invited to attend the orientation and were encouraged to attend meetings. Councilmember Blanscet stressed the need to make the alternate aware that being an alternate does not automatically assure them of being appointed the next year.

Summary of application changes:

Add a way for an applicant to offer to serve in any way

Add #8, 9, 10 and 12 from the potential questions

Separate #3 into two questions and check for duplication

Ask what professional or community activities involved in

7. Mayor and Council reports and information sharing.

ADJOURNMENT

Mayor Falconer adjourned the meeting at 8:18 pm.

ATTEST:

Laurie Garber, City Secretary

Kevin W. Falconer, Mayor