

**CARROLLTON CITY COUNCIL  
REGULAR MEETING AND WORKSESSION  
JUNE 18, 2019**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, June 18, 2019 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, Frances Cruz, Mike Hennefer, Pat Cochran and Steve Babick. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy, Bob Scott and Chrystal Davis, City Attorney Meredith Ladd and City Secretary/Admin Services Director Laurie Garber.

**5:45 P.M. – COUNCIL BRIEFING ROOM**

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

Mayor Falconer convened the meeting at 5:47 pm.

1. Receive **information and discuss Agenda.**
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.
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\*\*\***

Mayor Falconer advised that Item 4 would be discussed after the Regular Meeting.

**5. Discuss Amendments To Title XIII, Chapter 130.18 Of The Carrollton Code Regarding Unlawful Noise.**

Cory Heiple, Environmental Services Director stated that the item is in response to a citizen concern during the April 16, 2019 City Council meeting public forum regarding the City's current noise ordinance. He began with a list of currently prohibited noises and underscored that the noises are only prohibited if it "unreasonably disturbs or interferes with the peace." He noted that in addition, model aircraft are prohibited between the hours of 10:00 pm – 7:00 am and are prohibited within 1,000 ft of a residential area, and construction equipment is prohibited between 8:00 pm – 6:00 am within 1,000 ft of a residential area. He stated that continuous noise is a violation during the day if it is 65 decibels or above and at night if it is 58 decibels or above. He provided benchmarking information and discussed the recommended changes.

**Proposed Prohibitions**

1. Prohibited Hours
  - Proposed: 10:00pm – 7:00 am
  - Lawn: 10:00pm – 6:00 am

2. Prohibited Distance  
Proposed: 500 feet of residential
3. Prohibited Activities within time and distance  
Commercial waste collection  
Commercial and industrial disruptive activities  
Lawn maintenance

#### Allowance

1. Generators during power outages

Councilmember Cruz voiced concern for event venues and asked about notification. Mr. Heiple stated that staff would proceed with a communication effort for the businesses and residents so that everyone would be aware of the changes and also allow a grace period. He stated that staff would look at the impact for event centers.

Councilmember Hennefer asked about the types and area of complaints. Mr. Heiple stated that the majority of the complaints were from the Town Center area and stressed that the restaurants have been really good partners. The challenge has been the deliveries and waste pickups. He stated that staff has made a lot of progress with the help of the restaurants, other businesses and property management and were still getting a complaint weekly primarily from one resident. He noted that they were able to verify that the problem was during odd hours and very loud.

Mayor Falconer asked for feedback regarding the proposed changes and discussion ensued.

Parks & Recreation Director Scott Whitaker responded to the suggestion of a 6:30 am start time stating that the Parks Maintenance personnel could deal with it but it would be difficult for the golf course maintenance crew. The Council did not offer any changes to the proposal.

#### **6. Present An Update On The Status Of Carrollton Fire Rescue's Standard Of Response Coverage And Deployment Analysis Improvement Options.**

Fire Chief Gregg Salmi provided an update on the status of improvement options identified in the Standard of Response and Deployment Analysis conducted by Emergency Services Consulting International (ESCI) and completed in July 2018.

The general observations and improvement options were:

- Peak Ambulance
- Rebuild Station 6
- Evaluate staffing versus overtime costs
- Public education position (new) – funded in FY 19
- Emergency Medical Services Officer (new) – ATB in FY 20

Chief Salmi stated that based on the recommendation, a Peak Ambulance was placed in service October 13, 2018 at Station 7 in order to meet the NFPA standard. Since that time, the standard has been met 91.6% of the time during the day and 74.5% of the time at night. He explained the things being taken into consideration in determining the need to go from a Peak time to Full time ambulance. He stated his belief that a full time ambulance would be needed in 2021 and advised that it takes a year to put a full time ambulance in service due to hiring and training. With regard to the recommendation to rebuild Station 6, Chief Salmi talked about the need to have an outside engineer

confirm that it would be too costly to remodel the existing station. He explained that a modern station would have drive through bays for safety reasons and pointed out a few other needs. He provided the information regarding staffing versus overtime costs:

- 41 per shift minimal staffing
- Plus 9 to cover leaves
- Internal Auditor results: Trend is 9.5
- Appropriately staffed for normal operations
- Do not have capacity to implement additional services.

Summary:

Completed: Peak Ambulance  
Public Education position  
Evaluate staffing versus overtime costs

In Progress: Rebuild station 6  
Rebuild stations 3, 4 and 5  
Emergency Medical Services Supervisor

Future: Medical Priority Dispatch  
Second shift Battalion Chief  
Training assistant position

Discussion was held addressing the need for new stations versus remodeling the existing stations, security as well as the lead time for moving to a new full time ambulance. Director of Engineering Cesar Molina addressed questions pertaining to the two stations where the existing site is not large enough to accommodate a new station. He stated ideally the site needs to be approximately 1 – 1¼ acre in size and he noted that Station 8 was built on a 1½ acre site. He stated the driving radius compels the site size. Mayor Falconer thanked Chief Salmi for the presentation.

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

Mayor Falconer recessed the Worksession at 6:59 pm to convene in Regular Meeting.

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

Mayor Falconer convened the Regular Meeting at 7:04 pm.

**INVOCATION** – Mayor Pro Tem John Sutter

**PLEDGE OF ALLEGIANCE** – Boy Scout Adrian Fife

**PRESENTATIONS**

**8. Present Presidential Volunteer Service Awards.**

**9. Present A Proclamation Declaring June 2019 Public Safety Awareness Month.**

**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.)*

**Councilmember Babick moved approval of Consent Agenda Items 10-18 and on Item 18 designating Mayor Pro Tem Young Sung and Deputy Mayor Pro Tem Frances Cruz;** He noted that four of the agenda items pertain to public safety. **Second by Mayor Pro Tem Sutter and the motion was approved with a unanimous 7-0 vote,**

**MINUTES**

**\*10. Consider Approval Of The June 4, 2019 Regular Meeting Minutes.**

**BIDS & PURCHASES**

**\*11. Consider Authorizing The City Manager To Reject All Proposals Received For The RFP #19-031 Rebid Of The Veterans Memorial Plaza.**

**\*12. Consider Authorizing The City Manager To Approve A Contract With All City Management Services For School Crossing Guards, RF#19-021 In An Amount Not To Exceed \$255,694.00 Annually.**

**\*13. Consider Approval Of RFP# 19-029 For Scanning Services From GRM DOC Mgmt For Various Departments In An Amount Not To Exceed \$80,000.00.**

**CONTRACTS & AGREEMENTS**

**\*14. Consider Authorizing The City Manager To Approve Change Order No. 1 With IBCTX, LLC For Additional Structural Repairs To The Hebron Parkway Bridge Between Creek Valley Boulevard And Eisenhower Street For The Bridge Aesthetics 2019 Project In The Amount Of \$59,500.00, For A Revised Total Contract Award In An Amount Not To Exceed \$618,650.00.**

**RESOLUTIONS**

**\*15. Consider A Resolution Appointing A Mayor Pro Tem And A Deputy Mayor Pro Tem.**

**\*16. Consider A Resolution Authorizing The City Manager To Enter Into An Interlocal Agreement With Denton County Fresh Water Supply District No. 1-A For Engineering Services, Right Of Entry, Construction, Operation And Maintenance Of A Traffic Signal At The Intersection Of Hebron Parkway And Prairie Drive.**

**\*17. Consider A Resolution Ratifying A Member To Serve On The Civil Service Commission.**

**\*18. Consider A Resolution Authorizing The City Manager To Participate In Texas Public Energy Alliance And To Authorize The City Manager To Enter Into An Electricity Contract With Awarded Retail Electric Provider.**

**PUBLIC FORUM**

**19. 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.*

Latyra and Aubrey Smith, 1730 Elizabeth Drive, addressed the Council regarding a flooding problem in their home that occurred April 23, 2019 due to storm drains being covered because of construction. Ms. Smith talked about the problems all of the residents are trying to manage and asked for assistance.

Bob Travis, 2609 Lamar Drive, expressed his appreciation for the recent revision to the trash container ordinance and for meeting with him regarding the issue.

Christopher Jacobs, 1612 Cottonwood Road, stated the new construction next door at 1700 Cottonwood Road has considerably altered the original terrain and is diverting water to the rear of his adjoining property and stating that little goes forward to the storm drain on Cottonwood Road. He asked questions and talked about many problems with the adjacent construction. Mayor Falconer stated staff would review the situation and thanked him for his comments.

Diane Jacobs, 2017 Kings Road, addressed the problems associated with her parents' property.

Speaker did not give name, 1726 Elizabeth, stated the problems on their street has been a struggle as mentioned by the first speaker and they have not received any help with the RKM people.

Mayor Falconer adjourned the Regular Meeting at 7:41 pm and announced that the Council would reconvene in Worksession.

**\*\*\*WORKSESSION\*\*\***

Mayor Falconer reconvened the Worksession at 7:47 pm.

**4. Discuss DART Cotton Belt Commuter Rail Line Project.**

Doug Hrbacek, DART Board Representative, introduced the Chairman of the DART Board, Sue Bauman; President / Executive Director Gary Thomas; VP of Capital Construction John Rhone and John Hoppy who were in attendance. He began with the announcement that the line referred to as the Cotton Belt line is now formally named the Silver Line and the train cars will be painted silver on the top and sides. He asked John Rhone to give the presentation regarding the Silver Line project.

John Rhone began with a map indicating the 10 stations associated with the project and stated that specific to Carrollton he would talk about the Mercer Yard Relocation, Josey Lane bridge, Downtown Carrollton Flyover and the Downtown Carrollton Station – connection with the DART Green Line light rail system. He stated the Downtown Carrollton Flyover would be approximately 23½ ft above grade for the DMSF Railroad. As part of the project, DART would relocate the Mercer Yard to an area close to the Columbian Club Water Tanks that would have sufficient space to store 80 cars. He stated the arrangement for the new Mercer Yard would have new turnouts as well as the realignment of the water line. With regard to the Josey Lane Bridge, he stated they are working and communicating with staff about the features of the bridge. He reviewed Carrollton Mitigations and Betterments as listed below:

- DART has incorporated noise mitigation (including sound walls) into the project
- Betterments program established for properties with residential adjacency
- City of Carrollton has provided feedback to DART regarding community engagement with three groups to implement betterments program:
  - Downtown Carrollton including Switchyard Apartments and Carrollton Heights
  - Trofegar Square
  - Additional neighborhoods with residential adjacency
    - Gravely Drive
    - Josey Place Apartments
    - Country Place
    - Willow Lane Condos

Mr. Rhone presented and reviewed the Betterments Policy Budget and he provided a slide showing the typical cross section noting that the sound walls would be 15 ft in height from top of rail and 12 ft of distance from center of track to the wall. He also talked about typical cross section mitigation and betterment as well as Betterment options and the typical cross section for hike and bike trails. He provided information regarding the Downtown Carrollton Station providing Station Facts, Key Community Comments and Station Benefits. Mr. Rhone continued with information pertaining to the DART Station Art & Design Program including the Program schedule. He talked about other coordination efforts and reviewed the project schedule showing start of construction activity in the summer of 2019 and ending construction activity in July 2022 with revenue service beginning in December 2022.

Councilmember Hennefer asked about drainage. Mr. Rhone replied that as part of the track design, drainage is included so in some cases there would be a ditch, in other areas there would be piping and drains to help with the water flow. He stated they would work with the City to ensure that runoff and certain connection points are proper and sized properly so that neighbors or residences are not impacted.

Councilmember Babick asked where people could go to find where the sound walls or betterment walls would be located. Mr. Rhone replied that people could go to [www.DART.org/cottonbelt](http://www.DART.org/cottonbelt) to get to the documents that show the aerial maps. He stated they have also created larger script maps that show the property lines for each of the homes along the guide-way where one can see where the walls are located. Betterments don't necessarily mean a wall but also doesn't preclude a wall and the type of betterment is driven by the community feedback in workshops. He noted there is a Betterments budget that would be considered.

Councilmember Blanscet asked about quiet zones. Mr. Rhone replied that they are currently working on the application process and are designing the grade crossings to be quiet zones. He advised that

there is a time period during the testing when the horns will be heard but once the quiet zones are approved, the trains would operate without the horns.

Councilmember Cruz asked Mr. Rhone to elaborate on the process of community outreach and getting a consensus. Mr. Rhone replied that they begin with the using the information they received during the planning phase; emails, sign-in sheets gathered during the planning phase and would send out mailers as well as door hangers. He felt they received good turn-out of Carrollton residents and would give as much notice as possible of workshops.

Mayor Falconer asked if a fence or a wall would be required between the tracks and the trails. Mr. Rhone replied that at the very least, a 6 ft chain-link fence would be required. Mayor Falconer stated that DCTA feel very confident of their intention to bring a train to Downtown Carrollton and asked if it would use the Green Line platform and Mr. Rhone stated that would be something DART would work with them about and it was too early to say at this point. He stated they would have a focus on the connectivity and ease of transfer of customers. Mayor Falconer asked about the connectivity between the Silver Line and Green Line platform noting the different levels of the platforms. Mr. Rhone stated they continue to work with City staff to consider escalators and walkways that could be covered and air conditioned as well as elevators. Mayor Falconer stated that the item is a key concern for the Council noting the feeling that there would be a significant number of people. With regard to the Josey Lane Bridge, Mayor Falconer underscored the importance of the aesthetics of the Bridge because it is the central corridor of Carrollton. Mr. Rhone stated they view it as the gateway for Carrollton and are working with City staff to ensure that they know the City's expectations for the bridge.

Councilmember Cruz stated the initial transition from the Silver Line to the Green Line is very important and stressed the importance for it to be right the first time or riders could be lost. Mayor Falconer added another item of importance for Carrollton is for the Grapevine Historic Railroad to be able to come to Carrollton which would use the Silver Line tracks and stressed that the Council wouldn't want that to be a hindrance to meeting the goal of December 2022. Mr. Rhone stated that they have team members working on that item to make it happen.

Mayor Falconer thanked everyone from DART for attending the meeting and working with Carrollton.

**ADJOURNMENT** - Mayor Falconer adjourned the meeting at 8:30 pm.

**ATTEST:**

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Laurie Garber, City Secretary

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Kevin W. Falconer, Mayor