

**CARROLLTON CITY COUNCIL  
REGULAR MEETING AND WORKSESSION  
JUNE 20, 2023**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, June 20, 2023 at 5:45 pm with the following members present: Mayor Steve Babick, Mayor Pro Tem Nancy Cline, Deputy Mayor Pro Tem H.A. "Rusty" Pendleton, Councilmembers Andrew Palacios, Christopher Axberg, Jason Carpenter, Richard Fleming, and Daisy Palomo. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy and Chrystal Davis, City Attorney Meredith Ladd and City Secretary Chloe Sawatzky.

**5:45 P.M. – COUNCIL BRIEFING ROOM**

**\*\*\*PRE-MEETING \*\*\***

Mayor Babick called the meeting to order at 5:45 pm.

**\*\*\*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.
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 - no action taken.
1. **Receive information and discuss Agenda.**

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

4. **Discuss Proposed Amendments To Title IX, Chapter 92 'Nuisances' Of The Carrollton Code Of Ordinances.**

Mayor Babick reminded Council that this was an opportunity for Council to review the proposed changes for consideration and that action would not be taken tonight. Cory Heiple, Director of Environmental Services, prefaced that the driver behind the change was parking in residential areas and introduced the following proposed changes: including regulation for out-of-season holiday decorations and parking in residential neighborhoods which is the third most common code complaint. Heiple noted that time, place or manner would not be considered when regulating holiday decorations, only the length of time the decorations were displayed. The proposal allowed decorations to be displayed as follows:

- Halloween - October 1 through November 15
- Thanksgiving - November 1 through December 15
- Christmas - November 15 through January 15
- Other Holidays - 14 days prior through 14 days after

Council expressed concern about how other holidays may be addressed that may not be federally recognized as dictated by the proposed ordinance. Heiple responded that would explore ways to address those and would be open to Council suggestion.

Heiple reviewed the following proposed changes related to parking in residential neighborhoods:

- Remove - language stating street parking is not allowed between 2:00am and 8:00am as the street is public property by law
- Add - effective consent is required to park within 3 feet of someone else's driveway
- Add - no parking within 7 feet of a mailbox between 8:00am and 5:00pm
- Add - no parking trailers longer than 2 hours unless loading, unloading
- Add - cannot block bulk waste or trash bins

Council asked several questions about holiday décor regarding timelines, definitions, and the benchmarking data. Mayor Babick stated that more research needed to be done if we moved forward with an ordinance. He asked Council if there was interest in proceeding with an ordinance related to holiday décor and the majority responded in the affirmative. He asked for details on similar ordinances in other cities, additional options for timelines, the data around the previous requests received, alternate language defining holidays, and any potential impacts to staffing.

#### **5. Discuss Fire Station 6 Relocation Options.**

Chief Thompson provided background information on the Comprehensive Standard of Cover study conducted in 2018 which recommended relocation of Stations 6, 5, 4 and 3 to improve coverage of the City for the future. Station 6 was identified as the first station to move or rebuild based on foundation and structural challenges, the design with back-in bays, and lack of coverage and access to Trinity Mills and Frankford developments. Chief reviewed that four proposals were provided to council in November of 2022 and direction was provided to explore purchasing property for a station at Wynoka and Rosemeade and purchasing a section of property of E.L. Kent Elementary School. He stated the property at Wynoka and Rosemeade listed at \$1.1 million, was no longer available, didn't improve proximity to Trinity Mills and Frankford developments, and could potentially propose future issues when relocating Station 4 further East. The Kent Elementary property was appraised at \$485,000, would require an adjustment to Fire's response plan and there were concerns from the neighborhood. Thompson explained that they met with the neighborhood association and school principal and there were concerns about giving up the green space near the school, noise, and impacts to traffic. Thompson proposed a new location which is a city-owned property west of Eisenhower. There were a few concerns with the property, but Fire was able to work with Engineering and a private architectural firm for solutions that will work. He added that this location alleviates some of the trash and noise concerns expressed by the community surrounding the Kent property. While there is a small service gap with this location, Fire is confident it can be filled by the anticipated relocation of Station 4 and addition of Station 9. Council expressed a few concerns about the property being located on a flood plain and the cost to mitigate the issue but were overall supportive of the new location option provided and thanked Chief Thompson for his engagement with the community.

#### **6. Discuss Dates For The October 2023 Through January 2024 Council Meetings.**

City Secretary Chloe Sawatzky reviewed the proposed Council meeting dates as included in the Council agenda packet. Council discussed the options provided and decided on the following dates:

- October 10<sup>th</sup> & 24<sup>th</sup>
- November 7<sup>th</sup> & 21<sup>st</sup>
- December 5<sup>th</sup> & 19<sup>th</sup>
- January 9<sup>th</sup> & 23<sup>rd</sup>

#### **7. Mayor And Council Reports And Information Sharing.**

Mayor Babick adjourned the Worksession at 7:05 pm to convene the Regular Meeting.



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

Mayor Babick called the meeting to order at 7:14 pm.

**INVOCATION** – Deputy Mayor Pro Tem Cline

**PLEDGE OF ALLEGIANCE** – Councilmember Jason Carpenter

**PUBLIC COMMENT**

8. **Hearing of any citizen/visitor on items listed on the regular meeting agenda. Citizens wishing to address the Council regarding items not on the posted agenda will be called to speak during the Public Forum.**

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, clapping, 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.

**PRESENTATION**

9. **Recognize Community Groups For Exemplifying Council's Vision.**

**PUBLIC COMMENT**

Mayor Babick opened the floor for Public Comment

Michah Dumont, 4234 Lavaca Trail, spoke in opposition to the nuisance clause referencing the holiday décor and parking restrictions.

**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.)*

**COMMENT**

Mayor Babick opened the floor for a motion.

Mayor Pro Tem Palacios approval of Consent Agenda Items 10-22 with agenda item 21 stipulating Nancy Cline as Mayor Pro Tem and Rusty Pendleton as Deputy Mayor Pro Tem; second by Councilmember Fleming . The motion was approved with a unanimous 7-0 vote.

**MINUTES**

**\*10. Consider Approval Of The June 6, 2023 Regular Meeting Minutes.**

### **BIDS & PURCHASES**

**\*11. Consider Approval Of The Purchase Of Furniture From Plano Office Supply Through An Interlocal Agreement With Collin County Government Forum In An Amount Not to Exceed \$69,451.**

**\*12. Consider Approval Of A Payment To The School Of EMS For Paramedic Training Of Ten Firefighters Through A Grant From The Texas Department Of State Health Services EMS Workforce Recruitment And Retention Program In An Amount Not To Exceed \$80,000.00.**

**\*13. Consider Approval Of The Purchase Of Technical Rescue Equipment From Metro Fire Through An Interlocal Agreement With BuyBoard In An Amount Not To Exceed \$82,000.00.**

**\*14. Consider Approval Of RFP #23-015 For The Purchase Of Sand And Gravel Supplies From CJA Enterprises LLP In An Annual Amount Not To Exceed \$131,469.00, For A Total Three-Year Contract In An Amount Not To Exceed \$394,407.00.**

**\*15. Consider Approval Of An Expenditure For Tennis Court Resurfacing Services and Repair From Dobbs Tennis Courts, Inc. Through An Inter-Local Agreement With Buy-Board In An Amount Not To Exceed \$59,486.90.**

### **CONTRACTS & AGREEMENTS**

**\*16. Consider Amending Expenditures Related To Item 12 From The February 7, 2023 Council Meeting For IT Products And Services From Freeit Data Solutions On An Existing Agreement With Texas DIR In The Amount of \$150,000 For A Revised Total Not To Exceed \$300,000.00.**

**\*17. Consider Authorizing The City Manager To Execute Change Order No. 1 With A&B Construction, LLC For Additional Work Related To The Crosby Road Tract Drainage Improvements Project And The Crosby At Broadway Sidewalk Project In An Amount Not To Exceed \$82,779.60, Increasing The Total Project To An Amount Not To Exceed \$1,331,120.60.**

**\*18. Consider Authorizing The City Manager To Approve A Construction Contract With KIK Underground, LLC For The Northland Estates Paving and Utility Improvements Project In An Amount Not To Exceed \$5,266,909.50.**

### **ORDINANCE**

**\*19. Consider An Ordinance Amending The Carrollton Code Of Ordinances, Chapter 73, "Traffic Schedules", To Amend Schedule I (H) To Establish A Temporary Construction Zone Speed Limit Of 60 Miles Per Hour For Interstate Highway-35E (IH-35E) From The Southern Carrollton City Limits To The Dallas County Line.**

### **RESOLUTIONS**





**\*20. Consider A Resolution Declaring A Public Need And Necessity For Certain Property Rights Necessary For The Construction Of The Dudley Branch Hike And Bike Trail; Authorizing The City Manager To Take All Necessary Action For The Acquisition Of Said Property Rights For Two Trail Easements And A Temporary Construction Easement And The Construction Of A Hike And Bike Trail Within Said Easements Located Within The William B. Rowe Survey, Abstract No. 1124, Denton County, Texas, And More Specifically Described As Lot 2, Block A Of The Indian Creek Addition, Phase 2, Located Generally At The Northeast Corner Of Frankford Road And Trade Center Drive; Authorizing The City Attorney To Use Eminent Domain And Take All Steps Necessary To Acquire The Needed Property Rights In Compliance With All Applicable Laws.**

**\*21. Consider A Resolution Appointing A Mayor Pro Tempore And A Deputy Mayor Pro Tempore.**

**\*22. Consider A Resolution Appointing A Member To The Dallas Area Rapid Transit (DART) Board Of Directors.**

#### **PUBLIC FORUM**


**23. 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, clapping, 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.

Nadeem Narali, no address provided, talked about parking and towing concerns at the old Office Depot parking lot. He also expressed concern about how Police talks to citizens.

**ADJOURNMENT** - Mayor Babick adjourned the meeting at 7:25 pm.

**ATTEST:**

  
Chloe Sawatzky, City Secretary

  
Steve Babick, Mayor

