

**CARROLLTON CITY COUNCIL
REGULAR WORKSESSION AND MEETING
MAY 19, 2015**

The City Council of the City of Carrollton, Texas convened in a Regular Worksession and Meeting on Tuesday, May 19, 2015 at 5:45 p.m. with the following members present; Mayor Matthew Marchant, Mayor Pro Tem Bob Garza, Deputy Mayor Pro Tem Anthony Wilder, Councilmembers Kevin Falconer, Doug Hrbacek, Lisa Sutter, Jeff Andonian and Steve Babick. Also present were City Manager Leonard Martin, Assistant City Managers Marc Guy, Bob Scott and Erin Rinehart, City Attorney Meredith A. Ladd and City Secretary Krystle Nelinson.

5:45 P.M. – COUNCIL BRIEFING ROOM

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

Mayor Marchant called the meeting to order at 5:48 p.m.

1. Receive information and discuss Consent Agenda.

*****WORKSESSION*****

Mayor Marchant called the meeting to order at 5:50 p.m.

4. Discuss an Update to the Municipal Marketing Plan.

Ashley Mitchell, Administrative Services Director, reported that an RFQ was sent to five companies and two responses were received. Legends offered a 60-day timeframe with a cost of approximately \$20,000, and Water Tower offered a 16-week timeframe with a higher price quote. She noted that the Legends bid was below the threshold required for Council consideration so with Council's direction, the City Manager could move forward with executing the contract.

Councilmember Sutter spoke in opposition to putting company names on city property and structures such as park benches and water towers. She didn't feel it would provide sufficient benefit. Councilmember Falconer voiced his opinion in favor of conducting the update with Legends but understood more discussion would be necessary to assess the benefit. Councilmember Babick also voiced an opinion in favor of moving forward. A consensus was reached to move forward with Legends.

5. Mayor and Council reports and information sharing.

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

2. Council convened in Executive Session at 6:24 p.m. 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.

- Hamrla, et al v. City
- Camelot Landfill Application

3. Council reconvened in open session at 6:47 p.m. to consider action, if any, on matters discussed in the Executive Session. No action taken.

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

Mayor Marchant called the Regular Meeting to order at 7:05 p.m.

INVOCATION – Councilmember Jeff Andonian

PLEDGE OF ALLEGIANCE – Boy Scout Troop 787

PRESENTATIONS

6. Present A Proclamation Declaring May 17-23, 2015 As National Public Works Week.

PUBLIC FORUM

7. **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.

Leigh Ann Lewis and Joanie Finch, LISD, 1306 Blairwood, Flower Mound, expressed their appreciation for the City of Carrollton supporting their Big Event program.

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 noted that Item 19 was pulled from the Consent Agenda and opened the floor for a motion.

Councilmember Andonian moved approval of Items 8-18; second by Councilmember Falconer and the motion was approved with a unanimous 7-0 vote.

MINUTES

- *8. Consider Approval Of The May 5, 2015 Regular Meeting Minutes.**

BIDS & PURCHASES

- *9. Consider Authorizing The City Manager To Purchase A Mass Notification System From Everbridge, Inc. In An Amount Not To Exceed \$48,219.00.**

- *10. Consider Approval Of Quote For Indian Creek Golf Course Clubhouse Carpet Replacement To Business Flooring In An Amount Not To Exceed \$40,757.18.**

- *11. Consider Approval Of Quote For City Hall Office Furniture Replacement To Plano Office Supply Through An Inter-Local Agreement With Collin County Government Forum In An Amount Not To Exceed \$27,483.42.**

CONTRACTS & AGREEMENTS

- *12. Consider Approval Of RFP #15-021 For A Water And Wastewater Cost Of Service And Rate Design Study From McLain Decision Support Systems In An Amount Not To Exceed \$27,950.00.**

- *13. Consider Authorizing The City Manager To Enter Into A Contract With Waste Management Of Texas Inc. For Residential And City Facility Solid Waste Collection Services For The City Of Carrollton In An Amount Not To Exceed \$6,200,000.00 For The First Year.**

ORDINANCE

- *14. Consider An Ordinance Approving A Negotiated Settlement Between The Atmos Cities Steering Committee ("ACSC") And Atmos Energy Corp., Mid-Tex Division ("Company") Regarding The Company's 2014 And 2015 Rate Review Mechanism Filings; Approving A Settlement Agreement With Attached Rate Tariffs And Proof Of Revenues; Declaring Existing Rates To Be Unreasonable; Adopting Tariffs That Reflect Rate Adjustments Consistent With The Negotiated Settlement; Finding The Rates To Be Set By The Settlement Tariffs To Be Just And Reasonable And In The Public Interest; Requiring The Company To Reimburse ACSC's Reasonable Ratemaking Expenses; Determining That This Ordinance Was Passed In Accordance With The Requirements Of The Texas Open Meetings Act; Adopting A Savings Clause; Declaring An Effective Date; And Requiring Delivery Of This Ordinance To The Company And The ACSC's Legal Counsel.**

RESOLUTIONS

- *15. Consider A Resolution Reappointing Tim Hayden To The Dallas Area Rapid Transit (DART) Board Of Directors.**

***16. Consider A Resolution Authorizing The City Manager To Enter Into A Contract With IPS Advisors To Provide Benefit Consultant Services In An Amount Not To Exceed \$36,500.00.**

***17. Consider A Resolution Authorizing The City Manager To Execute A Contract With Cirrus Associates, LLC For The Background Study And Application To The Texas Commission On Environmental Quality For A Municipal Setting Designation Associated With The Downtown Carrollton Area Including 1309 South Broadway In An Amount Not To Exceed \$114,425.00.**

***18. Consider A Resolution Authorizing The City Manager To Enter Into A Contract With Gabriel Roeder Smith & Company To Provide Actuarial Services In An Amount Not To Exceed \$15,000.00.**

PUBLIC HEARING - PULLED FOR SEPARATE CONSIDERATION

19. Hold A Public Hearing And Consider An Ordinance To Repeal And Re-Establish Special Use Permit 293 To Allow For An Increase In Height For An Existing Antenna Support Structure With Special Conditions; Amending Accordingly The Official Zoning Map. The Approximately 3.7-Acre Tract Is Located At 3065 North Josey Lane And Is Currently Zoned For The (LR-2) Local Retail District. Case No. 02-15SUP1 AT&T Cell Tower/Clinton Earnhart/SBA Communications. Case Coordinator: Christopher Barton.

Mayor Marchant advised that Councilmember Hrbacek removed himself from the meeting due to a conflict of interest.

Mayor Marchant noted that Council had previously heard the case and had continued the case to allow the applicant to provide more information.

Peter Kavanagh, 1620 Handley, Suite A, Dallas, applicant, stated the proposed product would be a flush mounted antenna. Deputy Mayor Pro Tem Wilder asked if the applicant considered powder coating the pole. Mr. Kavanagh replied that they would paint every element above the current pole a lighter sky blue color after consulting with staff on the exact color. He noted and accepted the responsibility to appropriately maintain the pole.

Councilmember Sutter moved to approve Item 19; second by Councilmember Andonian. Mayor Marchant asked staff if a stipulation regarding the painting was necessary and Mr. Barton replied that the intention was clear and an ordinance would be brought to the Council at its next meeting for final action. **The motion was approved with a unanimous 6-0 vote, Councilmember Hrbacek abstained.**

Councilmember Hrbacek returned to the meeting.

OTHER BUSINESS

20. Consider An Ordinance Canvassing The Returns Of The May 9, 2015 General Election For Places 1, 3, 5 And 7.

Councilmember Falconer moved approval of Item 20; second by Councilmember Sutter and the motion was approved with a unanimous 7-0 vote.

21. Administer The Oaths Of Office To Elected Council Members And Adjourn For Reception.

Mayor Marchant honored retiring Council members Jeff Andonian, Kevin Falconer and Lisa Sutter who each provided six years of service as a member of the City Council. He highlighted various specific achievements of the members and presented each with keepsakes commemorating and acknowledging their work and effort on the City's behalf. Each retiring Council member recognized their family thanking them for their support and commented on the achievements during their tenure.

Presiding Municipal Judge Meredith Lyon administered the Oath of Office to the newly and re-elected Council members James Lawrence, Doug Hrbacek, Glen Blanscet and John Sutter. Each of the new members took their seat at the Council dais and addressed the audience. Councilmember Lawrence referred to the beginning of the City of Carrollton; talked about his goals and expectations for the betterment of the City on its journey and thanked everyone for their support. Councilmember Hrbacek began his comments thanking outgoing Council members Lisa Sutter, Kevin Falconer and Jeff Andonian. He talked about redevelopment; goals for the future of Carrollton; the progress of the parks; and expressed sincere thanks to his family. He stated that his community service was driven by the simple question, "What's best for Carrollton?" and felt the future was bright and the potential unlimited. In closing he thanked the staff and especially thanked Mayor Marchant. Councilmember Blanscet noted that running for office was very humbling and expressed appreciation for the support he received by the community, his family and specifically his wife, Becky. He stated he wants to be of service to the community; wants to move Carrollton forward and wants to bring honor and glory to God with his service to Carrollton. Councilmember Sutter stated he was humbled and grateful to be at the Council dais because of the Council's long history of strong accomplishments. He stated there was no higher calling than service to others; recognized his wife and family and thanked his supporters.

In closing Mayor Marchant invited the audience members to attend the reception and stated he was very excited about the future of Carrollton.

ADJOURNMENT

Mayor Marchant adjourned the meeting at 8:18 p.m.

ATTEST:

Krystle Nelinson, City Secretary



A handwritten signature in blue ink, appearing to read "Matthew Marchant", is written over a horizontal line.

Matthew Marchant, Mayor