

**CARROLLTON CITY COUNCIL
REGULAR WORKSESSION AND MEETING
AUGUST 18, 2015**

The City Council of the City of Carrollton, Texas convened in a Regular Worksession and Meeting on Tuesday, August 18, 2015 at 5:45 p.m. with the following members present; Mayor Matthew Marchant, Mayor Pro Tem Anthony Wilder, Deputy Mayor Pro Tem Doug Hrbacek Councilmembers Bob Garza, Steve Babick, John Sutter, Glen Blanscet and James Lawrence. 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/EXECUTIVE SESSION*****

Mayor Marchant called the meeting to order at 5:45 p.m.

1. Receive information and discuss Consent Agenda.

Mayor Marchant recessed the Worksession at 6:40 p.m. to convene in Executive Session.

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

2. Council convened in Executive Session at 6:41 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.
3. Council reconvened in open session at 7:10 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 7:15 p.m.

INVOCATION – Deputy Mayor Pro Tem Doug Hrbacek

PLEDGE OF ALLEGIANCE – Local Boy Scouts

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.

Jiles Berry, President of the Carrollton Wind Symphony, presented the City with a memento of their appreciation.

Jesse Timmons, former employee of Eagle Golf, asked for clarification about the status of the Indian Creek Golf Course. He felt the Creek Course was the best course and made more revenue than the Lakes Course. He felt the City should consider keeping the golf course in operation.

John Lynch, 3604 Chimney Rock, addressed the lack of progress at the golf course. He understood there was extensive damage and stressed the desire to allocate funds.

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.)*

Deputy Mayor Pro Tem Hrbacek moved approval of Items 8-15, 17 and 18; second by Councilmember Babick and the motion was approved with a unanimous 7-0 vote.

MINUTES

***8. Consider Approval Of The August 4, 2015 Regular Meeting Minutes.**

BIDS & PURCHASES

***9. Consider Approval Of The Replacement Of City Hall Carpet From Business Flooring Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$260,705.78.**

***10. Consider Approval Of The Replacement Of One (1) Mower From Professional Turf Products Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$49,956.43.**

***11. Consider Approval Of The Purchase Of Contracted Litter Service From Premiere Building Maintenance Through An Inter-Local Agreement With City Of Plano In An Amount Not To Exceed \$70,000.00.**

CONTRACTS & AGREEMENTS

***12. Consider Authorizing The City Manager To Approve A Professional Services Contract With BW2, The Wallace Group, Nathan D. Maier, And Baseline Surveying For General Surveying Services In An Amount Not To Exceed \$160,000.00.**

***13. Consider Authorizing The City Manager To Approve A Professional Services Contract With Paramount Valuation Services, Inc., Integra Realty Resources, Inc., And Steven J. Kunkel & Associates, Inc. For Appraisal Services In An Amount Not To Exceed \$120,000.00.**

***14. Consider Authorizing The City Manager To Approve A Contract With Drive Construction GC, LLC For The Central Service Center Maintenance Yard Improvements 2015 Project In An Amount Not To Exceed \$1,603,522.20.**

***15. Consider Authorizing The City Manager To Approve An Inter-Local Agreement To Provide Space For A 9-1-1 Host Site And Backup Public Safety Answering Point For The Denco Area 9-1-1 District.**

RESOLUTIONS

~~***16. Consider A Resolution Authorizing The City Manager To Enter Into An Economic Development Incentive Agreement With Mary's Southern Kitchen, Inc.**~~

PUBLIC HEARING-CONSENT AGENDA

***17. Hold A Public Hearing And Consider An Ordinance To Amend the Zoning And Establish A Special Use Permit For A Motorcycle Training School With Special Conditions On An Approximately 12-Acre Tract Located At 1441 West Trinity Mills Road; Amending Accordingly The Official Zoning Map. Case No. 07-15SUP1 Motorcycle Training Center. Case Coordinator: Christopher Barton.**

***18. Hold A Public Hearing And Consider An Amendment To The Comprehensive Zoning Ordinance To Add Article XX.4 To Establish A Redevelopment Zoning Overlay District Along Josey Lane From Keller Springs Road to Spring Valley Road, And Along Belt Line Road From Josey Lane To Marsh Lane. Case No. 06-15ZT1 Redevelopment Overlay District/City Of Carrollton. Case Coordinator: Michael McCauley.**

CONSENT AGENDA ITEMS PULLED FOR SEPARATE CONSIDERATION.

***16. Consider A Resolution Authorizing The City Manager To Enter Into An Economic Development Incentive Agreement With Mary's Southern Kitchen, Inc.**

Mayor Marchant stated the Council discussed the item at length during the pre-meeting and given the relative size of the facility and the amount of tenant improvement finish-out, the Council was relatively uncomfortable with the amount requested.

Councilmember Sutter moved to authorize the City Manager to enter into an Economic Development Incentive Agreement with Mary's Southern Kitchen for an amount not to exceed \$24,000 which is \$10 sq ft on the anticipated 2,400 sq ft; second by Councilmember Lawrence and the motion was approved with a 6-1 vote; Mayor Pro Tem Wilder opposed.

PUBLIC HEARING - INDIVIDUAL CONSIDERATION**19. Conduct A Public Hearing On The Proposed 2015 Property Tax Increase And Proposed Operating And Capital Budget For The Fiscal Year October 1, 2015 Through September 30, 2016.**

Bob Scott, Assistant City Manager/CFO, began the presentation with information about the process followed to date noting the preliminary budget was delivered to the Council on July 30, 2015. He advised that this item was the first public hearing and the second public hearing was scheduled to be held September 1, 2015 with adoption of the budget scheduled for September 15, 2015. The assessed valuation was \$11,131,463,361 which was a 7.9% increase; the preliminary budget maintains the current property tax rate of \$0.615375 per \$100 assessed value; the average homestead market value and City tax was \$201,888 and \$980 respectively. He provided a municipal tax base comparison of per capita assessed value; per capita sales tax revenues; and a comparison of the cost of municipal services per household. The General Fund recurring sources of fund are projected to total \$91,516,654; an increase of 3.13% from last year and the Utility fund recurring sources are projected to increase 8.28% to \$38,525,583. He reviewed proposed rate changes to the solid waste collection rates and the water and sewer rates. With regard to staffing and compensation, the budget includes a net increase of 4.125 FTE positions; and employee compensation increase pool of 2% in addition to Civil Service step increases; and a 10% increase in health insurance rates along with possible changes to the plan design. He stated that although no decisions had been made with regard to the Golf Course operating fund, the budget was prepared with the assumption that the courses would not reopen in 2016; does not include impact of additional debt issuance; includes a subsidy from the General Fund projected at \$1.25 million with an ending fund balance of \$0.00. Lastly, he reviewed the funds allocated for capital projects with almost \$59 million for total new projects; \$20,000,000 bond issue in 2016; \$696,061 in Development Block Grant funds; Neighborhood Partnership tax of \$3,525,399 for NOTICE and other infrastructure improvements; Water and Sewer Paygo Rehab of \$2,900,000; Street Rehab/TOD dedicated tax of \$3,720,120; and Strategic Reinvestment funds of \$7,479,000.

Mayor Marchant opened the public hearing and invited speakers to the podium.

Becky Miller, former Mayor, asked the Council to allocate the additional funds for the Police Station and requested a compensation increase pool of 3%.

Scott Larkin, 3404 Kimberly Drive, stated he did not see the need to construct another play ground at the ball fields at Josey Park particularly since there was one less than 250 ft away just outside the fenced area of the complex. He felt a concession stand was more important for the area noting the current concession stand was in bad repair.

Matt Grady, 2326 Dundy Place, asked the Council to consider decreasing the tax rate due to the increase in assessed valuation.

Lisa Rigby, Executive Director of Metrocrest Community Clinic, One Medical Parkway, Plaza 1, Suite 149, Farmers Branch, made a presentation stating their mission and goals showing they

serve 600 Carrollton residents and talked about the costs of the service. She requested \$15,000 in funding from the City of Carrollton.

There being no other speakers, Mayor Marchant announced that the second public hearing on the proposed tax rate and budget would be held at the September 1, 2015 Council Meeting at 7:00 p.m. at City Hall. He further announced that the City Council would vote on the proposed tax rate and budget at the September 15, 2015 City Council meeting at 7:00 p.m. at City Hall.

Deputy Mayor Pro Tem Hrbacek thanked Mr. Larkin for addressing the Council stating he has been very active with youth baseball in the community and noted the positive impact on the lives of the girls. He explained that he proposed the playground idea because it was important for the parents of the siblings of the players to have an area to play within sight of the parents. He committed to considering the concession/restroom facility but felt the playground was the most appropriate for the space.

Mayor Marchant acknowledged former Mayor Pro Tem Pat Malone.

20. Hold A Public Hearing And Consider An Ordinance To Amend The Zoning And Establish A New Planned Development District On An Approximately 5 Acre Tract For The (O-2) Office District With Modified Development Standards To Allow A Mini-Storage Warehouse Facility And To Exceed The Maximum Allowable Building Height, Located On The South Side Of Hebron Parkway Between Marsh Ridge Road And The Kansas City Southern Railroad. Case No. 07-15Z1 Extra Space Storage/Fred Gans - Cornerstone RPC Storage I, LP. Case Coordinator: Michael McCauley.

Michael McCauley, Senior Planner, advised that part of the proposal by the applicant was to exceed the maximum allowed height to a maximum of 35 ft for Building A, the larger of the two buildings on the east side of the proposed development site. He stated that the Planning & Zoning Commission recommended approval with a unanimous vote with stipulations. He stated that since that time, staff was recommending additional stipulations as outlined in the case report. He advised that staff received opposition as well as support.

Robert Reeves, Zoning consultant representing the applicant, 900 Jackson Street, Suite 160, Dallas, explained the request for a PD for O-2 uses plus one additional use of a climate controlled self storage facility. The vacant site was the eastern side of the creek a little less 5 acres in size. He provided a photograph of the area from Hebron Parkway noting the applicant's desire to work with Oncor to move the overhead utility lines underground; a photograph of the railroad crossing on Hebron Parkway noting the applicant felt the crossing had a negative impact on the site for other types of uses. He also provided a photograph of the view from Marsh Ridge from the single family neighborhood located on the west side of Marsh Ridge Road noting the site was behind the line of trees and would not be visible from the homes. The proposal was for a 110,000 sq ft self storage facility of which approximately 1,000 sq ft would be office. The proposal complied with the masonry requirement; the doors would be internal and would not face Hebron Parkway or Marsh Ridge. The architectural feature of towers was the only element of the building that would exceed the maximum height requirement. He explained the plan for enhancing the landscaping and proposed to preserve a large open space. He reviewed the proposed elevations and other similar projects. He felt the proposed use was a logical land use buffer between the O-2 to the west; commercial on the north; the railroad track on the east and

felt the architectural design was appealing; and felt the site was visually was buffered from the single family use. In terms of traffic, he felt the use was one of the lowest traffic generators of commercial land use stating the normal usage was 20-30 trips a day once filled.

Fred Gans, applicant, 3235 Douglas Parkway, Dallas, noted the challenges of the site stating the elevation of the building on Hebron Parkway would be about 10 ft below the street grade. He talked about his history of building storage facilities; the partnership with Rosewood; the quality of the proposed site; and felt the site couldn't be more compatible for the proposed use.

Councilmember Babick asked Mr. Gans if he was aware of all of the stipulations recommended by staff and if he was in agreement. Mr. Gans stated he had an issue with the stipulation that they be restricted to one building sign. He stated his agreement with one sign on the north elevation but would a second sign on the east elevation on the railroad track side away from the residential. He explained that the sign was about two-thirds the size of the Carrollton emblem above the dais and stated they did not intend to have a monument sign. Councilmember Babick asked the applicant if he would object to filling in the leftover ingress between the railroad tracks and the entry and Mr. Gans replied he would have no objection. With regard to the utility lines, Mr. Gans stated he met with Oncor on site that afternoon and Oncor was developing a plan and costs to move the lines. Using the photograph of the easement area in question, Mr. Gans stated he could not make Oncor put the poles within their right-of-way underground, but he could pay for the balance of the poles to be put underground if they develop a plan and budget that was fair and reasonable. He stated they would commit to a 10 year service usage that would offset some of his costs to be able to do it. Mr. Gans further agreed to maintaining the western side/corner of the property in a natural state and added that it would be cost prohibitive to build in that area.

Councilmember Sutter stated he found the logo on-line and asked the applicant where on the elevation he planned to put the sign. Using the elevations, Mr. Gans stated that on the north side it would probably be in the middle section and on the east side it would be somewhere close to the corner of the building not imposing on glass. Councilmember Sutter asked what people would see when they looked through the glass and Mr. Gans replied they would see doors and further responded they would have about 700 units.

Councilmember Garza asked if there would be one entry and exit to the site and if it would be gated and Mr. Gans replied affirmatively to both questions. With regard to the hours of operation, Mr. Gans stated the customers would have access from 7:00 am to 9:00 pm and the office would be open from 8:30 am to 6:00 pm. He stated there would be controlled access and video surveillance with tight security. He stated the surveillance was internet based and would be monitored by the management company.

Mayor Marchant opened the public hearing and invited speakers to address the Council.

Gil Kirk, current owner of the subject site, 2222 Arbor Crest Drive, stated he purchased the property as an investment and had been trying to develop the site but it had been cost prohibitive. He felt the proposed development would be a benefit to the City and talked about the frustration he has had with Oncor over the years.

Matt Garrett, 2226 Arbor Crest Drive, representing the HOA, Estates and High Country, stated the homeowners concerns were access on Marsh Ridge and traffic. He noted that there would be

no access on Marsh Ridge so access was not an issue. He stated there were two people opposed to the proposal and the two lived on Marsh Ridge and one was concerned about what it would look like but did not know the concern of the second person. He stated that as a whole, the neighborhood was supportive of the request. He felt it would be a buffer of the railroad tracks which was very loud and would support it becoming a quiet zone.

Mr. Gans added that they did not have a definite unit mix at this point and felt it would somewhere between 700 and 750 rather than the 840 listed on the civil engineer's plan.

There being no other speakers, Mayor Marchant closed the public hearing.

Mayor Pro Tem Wilder moved to approve Item 20 with the addition of a couple other stipulations; that we accept the stipulations from staff with the change for the signs to allow a sign on the eastern side in addition to the sign that's allowed on northern side of Building A by the stipulations already mentioned; also add stipulation for the underground utilities that the applicant would work to put those underground outside of the utility easement as spoken of; that the second ingress which is west of the one on the conceptual site plan would be removed; and that the attachments in the booklet documentation provided through Robert Reeves, that conceptual landscape plans and conceptual site plans within this document be added to the ordinance and where there is any difference, that these would supersede what was provided to the Council in the agenda packet; second by Councilmember Babick.

Councilmember Babick asked about removing the stipulation allowing for one monument sign. Mayor Pro Tem Wilder stated he did not mind keeping the stipulation in case the applicant decided they wanted a sign because he felt that the plan was exceptional and the landscaping plans go well beyond anything. He further explained the need for the documents provided in the packet by Mr. Reeves was more detailed with regard to keeping the area to the west in a natural state.

Councilmember Babick commended the Planning Commission noting that a storage facility was not his first choice for the site but the proposed building was attractive and as he talked to people about it, it was a good project and he would support the motion adding that he hoped the applicant would refrain from installing a monument sign.

Councilmember Sutter voiced his support of the motion commending the applicant on planning a facility that fit the vision with the neighborhood and the zoning because the plans proposed what looks like a two-story office building.

Councilmember Blanscet commended the applicant with regard to the proposed building and stated he was still not sure about adding another storage facility in Carrollton.

Mayor Marchant called the question and the motion was approved with a 6-1 vote, Councilmember Blanscet opposed.

21. Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Establish A Redevelopment Overlay District Along Josey Lane From Keller Springs Road To Spring Valley Road And Along Belt Line Road From Josey Lane To Marsh Lane. Case

No. 06-15Z1 Josey - Belt Line Redevelopment Overlay District/City Of Carrollton. Case Coordinator: Michael McCauley.

OTHER BUSINESS

22. Consider An Ordinance Amending The Driveway Ordinance To Provide Standards For The Josey Lane/Belt Line Road Zoning Overlay.

23. Consider An Ordinance Amending The Sign Code To Provide Standards Specific To The Josey Lane/Belt Line Road Zoning Overlay.

Mayor Marchant advised that Items 21, 22 and 23 were related and would be heard and considered simultaneously.

Mr. McCauley stated Item 21 was a City initiated request and provided a map outlining the proposed Corridor Zoning Overlay Boundary. The incentive for the overlay was to encourage refurbishing or improving the two corridors and was aimed toward the commercial, retail, office and the light industrial uses. It has no direct impact on residential, churches or multi-family apartment uses. He reviewed the three scenarios or models using an aerial of an existing site to illustrate the differences: 1) redevelopment; 2) building/site rehabilitation; and 3) occupancy/code enforcement inspection. He explained that staff had an opportunity to speak to various individuals who had questions about the overlay and noted some comment cards received did not include an email or phone number so there was insufficient time to respond in writing.

Councilmember Babick asked for confirmation that current business owners would not be forced to make improvements to their property but should the business be sold, improvements would be required prior to receiving a certificate of occupancy, with the exception of code violations that would be addressed in the normal course of business and Mr. McCauley replied affirmatively.

Councilmember Sutter asked if the change would include relaxing the parking requirements for the buildings within the zone. Mr. McCauley replied that the parking ratio would be reduced.

Mayor Marchant opened the public hearing for Items 21, 22 and 23.

Lorena Williams, 1905 Hood Circle, asked various questions and voiced concerns about inexperienced drivers and traffic volume.

There being no other speakers, Mayor Marchant closed the public hearing.

Deputy Mayor Pro Tem Hrbacek moved approval of Agenda Items 21, 22 and 23; second by Councilmember Babick and the motion was approved with a unanimous 7-0 vote.

Mayor Marchant adjourned the Regular Session at 9:05 pm and announced that Council would convene in Worksession after a brief recess.

*****WORKSESSION*****

Mayor Marchant convened the Worksession at 9:15 p.m.

4. Discuss Fiscal Year 2016 Community Service Requests.

Mayor Marchant provided a brief history of the process followed and thoughts of previous Councils with regard to the funding of community service requests. He advised that the amount funded in budget was \$364,320 but the Council could tweak that number if desired.

A consensus was reached to fund requests at the same level as the previous year; deny funding for new requests; Mosaic would not be funded as it was a one-time funding last year; fund Metrocrest Social Services at \$300,000 plus an additional one-time funding of \$60,000 because of the services they provided during the flooding events; deny funding of Keep Carrollton Beautiful.

Mayor Marchant suggested that an item be placed on the next agenda to fund the reimbursement of \$60,000 to Metrocrest Social Services as a separate item from the Community Service Requests and fund with the current year funds and the Council agreed.

There were no comments or changes to the Hotel/Motel Tax requests.

5. Discuss Fiscal Year 2016 Preliminary Budget.

Council directed the following changes to the Preliminary Budget:

Fee Adjustments – Eliminate current fee for the Perry Museum professional photography membership and eliminate from considerations the addition of a fee for Disc Golf Course rentals.

Police Taser Replacements – Reduce proposed budget to \$75,000.

Emergency Back-up Generators – Remove budget for generators for evacuation shelter sites.

Compensation Increase Pool – Increased from 2% to 3% for Fiscal Year 2016.

Police Body Worn Video Cameras – Add budget funds for cameras of \$135,000 non-recurring and \$15,000 recurring.

Snow Plow – Add funding for a snow plow of \$35,000 non-recurring and \$2,425 recurring.

Athletic Fields Improvements – Fund an additional \$40,000 recurring funds for additional maintenance on athletic fields to allow fields to be used for general play.

Capital Project Additions from non-recurring funds –

Hike/bike trail to connect Mustang Park - \$350,000

McKinnish Field 16 improvements - \$48,000

Josey Ranch playground between Fields 1 to 4 - \$60,000

Public Restroom in Downtown - \$95,000 plus \$10,000 recurring

Council requested follow up work sessions be prepared on the following items:

Golf Course Rebuild – Work session planned for September 1st.

Police Bicycle Unit – Work session planned for September 1st.

Central Service Center Storage Building Upgrade – Work session regarding possible ordinances changes for façade requirements before this project is finalized.

Sidewalk Repair and Infill, Street and Alley Rehabilitation – Work session to be planned for the October or November.

Parks Amenity Funds – Work session to be planned for November regarding additional Park improvement needs.

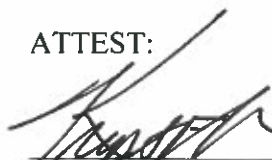
6. Mayor and Council reports and information sharing.

Postponed.

ADJOURNMENT

Mayor Marchant adjourned the Worksession at 12:57 a.m.

ATTEST:


Krystle Nelinson, City Secretary




Matthew Marchant, Mayor