

**CARROLLTON CITY COUNCIL  
REGULAR WORKSESSION AND MEETING  
OCTOBER 18, 2016**

The City Council of the City of Carrollton, Texas convened in a Regular Worksession and Meeting on Tuesday, October 18, 2016 at 5:45 p.m. with the following members present; Mayor Matthew Marchant, Mayor Pro Tem Doug Hrbacek, Deputy Mayor Pro Tem Steve Babick, Councilmembers Anthony Wilder, Glen Blanscet, John Sutter and James Lawrence. Councilmember Bob Garza was absent. Also present were City Manager Leonard Martin, Assistant City Managers Marc Guy and Erin Rinehart, City Attorney Meredith Ladd and City Secretary Laurie Garber.

**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.

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

5. Discuss **Indian Creek Golf Course**.

Asst City Manager Erin Rinehart reviewed the projected costs that were provided for the Lakes and Creek Course and provided updated projections of costs, underscoring that it did not include the overhead allocation or debt service. She reported that staff completed all necessary FEMA requirements within the deadlines and would be submitting the request for reimbursement within the next 60 days. She stated that they believe the Course is in “as good” or “better” condition than pre-flood because the bunkers were all new and high quality. She reviewed the process used with regard to considering a management contract as listed on the agenda for consideration. She talked about the review of the proposal and advised that staff recommended Orion Management Solutions for management of the Indian Creek Golf Course.

4. Discuss **Veterans’ Memorial**.

Ashley Mitchell, Administrative Services Director, provided options for placement of the memorial at the Josey Ranch Library and after discussion Council provided direction to place it on the existing pad leaving room for walking around the monument.

Mayor Marchant recessed the Worksession at 7:07 pm to convene the Regular meeting.

**\*\*\*REGULAR MEETING\*\*\***

Mayor Marchant called the Regular Meeting to order at 7:15 p.m.

**INVOCATION – Councilmember Glen Blanscet**

**PLEDGE OF ALLEGIANCE – Councilmember James Lawrence**

**PUBLIC FORUM**

9. **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.

John Wyatt addressed the Council with regard to a notice he received to trim his trees that were above his driveway.

Nolan Adams asked questions with regard to CDBG funds and asked how the grant was actually helping the community. He stated he was upset with the way the funds were being spent and stated the application process was flawed. He felt it was adversely affecting minorities and low income neighborhoods.

Shirley Tarpley, 1507 Milam Way, referred to an article in the *Carrollton Leader* and comments made by City Manager Leonard Martin with regard to the Breaker's BBQ Restaurant.

### **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 advised that Items 10, 29-32, and 42-44 were removed from the Consent Agenda for separate vote.

**Councilmember Wilder moved approval of Consent Agenda Items 8, 9, 11-28, 33-41 and 45, and noted that on Item 22 Chad Averett has been selected as Chair; on Item 24 Roy Atwood has been selected as Chair; and for Item 18, Katherine Ortega has replaced Harry Hunt as the recommended final member of that committee; second by Councilmember Blanscet. The motion was approved with a unanimous 6-0 vote.**

### **MINUTES**

**\*8. Consider Approval Of The September 20, 2016 Regular Meeting Minutes.**

### **BIDS & PURCHASES**

**\*9. Consider Approval Of A Bid Award For The Planting Of Trees For Various Projects To Multiple Vendors In An Amount Not To Exceed \$130,000.**

~~**\*10. Consider Approval Of Lights At Rosemeade Dog Park And Rosemeade Practice Fields By Museo Lighting Through An Inter Local Agreement With BuyBoard In An Amount Not To Exceed \$275,000.**~~

**CONTRACTS & AGREEMENTS**

**\*11. Consider Authorizing The City Manager To Approve A Professional Services Contract With Birkhoff, Hendricks & Carter, Llp For Engineering Design Services For The Huffines Lift Station Replacement Project In An Amount Not To Exceed \$85,320.00.**

**\*12. Consider Authorizing The City Manager To Approve A Professional Services Contract With Transystems Corporation For Engineering Design Services For The Furneaux Creek Hike And Bike Trail Extension From Old Denton Road To The Trinity Mills Station In An Amount Not To Exceed \$156,704.00.**

**\*13. Consider Approval Of RFP #16-030 For A Water Meter Routing Optimization Software Service From RouteSmart Technologies, Inc. In An Amount Not To Exceed \$64,500.00.**

**\*14. Consider Authorizing The City Manager To Approve A Contract With XIT Paving And Construction, Inc. For The Marsh Lane Road Improvements Project In An Amount Not To Exceed \$1,510,230.00.**

**\*15. Consider Authorizing The City Manager To Approve Change Order #1 With Tiseo Paving Company For Additional Costs Related To The Lowering Of Water Services To Clear The Subgrade And New Pavement For The Santa Rosa Heights Street Replacement Project In An Amount Not To Exceed \$395,000.00, For A Revised Contract Amount Of \$3,810,396.00.**

**\*16. Consider Authorizing City Manager To Negotiate Contract With Orion Management Solutions For Management Of Indian Creek Golf Course.**

**RESOLUTIONS**

**\*17. Consider A Resolution Appointing Members To The Historic Preservation Advisory Committee.**

**\*18. Consider A Resolution Appointing Members To The Capital Improvements Plan Advisory Committee.**

**\*19. Consider A Resolution Appointing Members To The Library Board.**

**\*20. Consider A Resolution Appointing Members To The Museum Board.**

**\*21. Consider A Resolution Appointing Members To The Neighborhood Advisory Commission.**

**\*22. Consider A Resolution Appointing Members To The Planning And Zoning Commission And Selecting A Chair.**

**\*23. Consider A Resolution Appointing Members To The Parks And Recreation Board.**

- \*24. Consider A Resolution Appointing Members To The Property Standards Board And Selecting A Chair.**
- \*25. Consider A Resolution Appointing Members To The Traffic Advisory Committee.**
- \*26. Consider A Resolution Authorizing The City Manager To Approve A Contract With N. Harris Computer Corporation For The Purchase And Implementation Of CityView Software In An Amount Not To Exceed \$717,189.00 (RFP#16-027).**
- \*27. Consider A Resolution Authorizing The City Manager To Accept An Award Through The Department Of Justice Community Oriented Policing Services Hiring Program By Signing The Award Agreement.**
- \*28. Consider A Resolution Revising A Lease Agreement By And Between The City And CTC Carrollton, LLC Dba Cow Tipping Creamery, For The Use Of City-Owned Real Property At 1309 South Broadway And Authorizing The City Manager To Negotiate And Execute A Revised Lease Agreement With CTC Red Five, LLC Dba Cow Tipping Creamery.**
- ~~**\*29. Consider A Resolution Authorizing The City Manager To Enter Into A Tax Incentive Agreement With Billingsley Development Corporation At The Northwest Corner Of Parker Road And Plano Parkway.**~~
- ~~**\*30. Consider A Resolution Authorizing The City Manager To Enter Into A Tax Incentive And Job Creation Grant Agreement With AmerisourceBergen Specialty Group, Inc.**~~
- ~~**\*31. Consider A Resolution Authorizing The City Manager To Enter Into A Tax Incentive Agreement With Lennox Industries, Inc.**~~
- ~~**\*32. Consider A Resolution Nominating Lennox Industries, Inc. To The Governor's Office Of Economic Development And Tourism Through The Economic Development Bank For Designation As An Enterprise Project.**~~
- \*33. Consider A Resolution Authorizing The City Manager To Enter Into A Single-Family Rehabilitation Incentive Agreement With Steven Taylor At 2315 Ridgedale Drive In An Amount Not To Exceed \$596.26.**
- \*34. Consider A Resolution Revising The Single-Family Rehabilitation Incentive Policy.**
- \*35. Consider A Resolution Acknowledging A Petition To Annex Approximately 13.693 Acres Of Land Located Near The Southwest Corner Of The Intersection Of FM 544/Parker Road And Dozier Road; Directing The Development Of A Service Plan For The Proposed Annexation; Setting Dates For The Required Public Hearings; Directing The Publication Of Such Public Hearings And Providing An Effective Date. Case No. 11-16MD8 Trails At Arbor Hills (Tract 1). Case Coordinator: Loren Shapiro.**
- \*36. Consider A Resolution Acknowledging A Petition To Annex Three Tracts Of Land Totaling Approximately 140.244 Acres And Generally Located Near The Northwest Corner Of The Intersection Of FM 544/Parker Road And Josey Lane; Directing The Development Of A Service Plan For The Proposed Annexation; Setting Dates For The Required Public Hearings;**

**Directing The Publication Of Such Public Hearings And Providing An Effective Date. Case No. 11-16MD6 Castle Hills - Clem Property. Case Coordinator: Loren Shapiro.**

**\*37. Consider A Resolution Acknowledging A Petition To Annex Approximately 11.885 Acres Of Land Located On The South Side Of FM 544/Parker Road, 1,100 Feet East Of Plano Parkway; Directing The Development Of A Service Plan For The Proposed Annexation; Setting Dates For The Required Public Hearings; Directing The Publication Of Such Public Hearings And Providing An Effective Date. Case No. 11-16MD11 Parker Ranch Annexation (Tract 3). Case Coordinator: Loren Shapiro.**

**\*38. Consider A Resolution Acknowledging A Petition To Annex Approximately 9.959 Acres Of Land Located On The South Side Of FM 544/Parker Road, Approximately 1,650 Feet East Of Plano Parkway; Directing The Development Of A Service Plan For The Proposed Annexation; Setting Dates For The Required Public Hearings; Directing The Publication Of Such Public Hearings And Providing An Effective Date. Case No. 11-16MD10 Parker Ranch Annexation (Tract 2). Case Coordinator: Loren Shapiro.**

**\*39. Consider A Resolution Designating An Authorized Official For Grant Administration And To Apply For And Accept Two 2016 Urban Area Security Initiative (UASI) And One State Homeland Security Program (SHSP) Grant Awards In An Amount Not To Exceed \$102,192.94.**

**\*40. Consider A Resolution Acknowledging A Petition To Annex Approximately 1.078 Acres Of Land Containing The East 45-Feet Of Right-Of-Way Of Standridge Drive, Between Hebron Parkway And Polser Road; Directing The Development Of A Service Plan For The Proposed Annexation; Setting Dates For The Required Public Hearings; Directing The Publication Of Such Public Hearings And Providing An Effective Date. Case No. 10-16MD2 Standridge Drive (Annexation). Case Coordinator: Loren Shapiro.**

## **ORDINANCE**

**\*41. Consider An Ordinance To Authorize An Increase In Sworn Positions And Classifications In The Police Department From 164 Positions To 168 Positions.**

## **PUBLIC HEARING-CONSENT AGENDA**

~~**\*42. Hold A Public Hearing To Consider A Resolution To Amend The Comprehensive Plan And The Future Land Use Map To Change An Approximately 15.7 Acre Site Located On The North Side Of Plano Parkway At The Intersection Of Mustang Parkway From Medium Intensity Office Uses To Single-Family Detached Uses. Case No. 09-16MD3 Hamilton Park (Land Use Comp Plan). Case Coordinator: Loren Shapiro.**~~

~~**\*43. Hold A Public Hearing To Consider An Ordinance Amending The Zoning On A 15.7-Acre Tract Zoned (CC) Corporate Commercial District And Located On The North Side Of Plano Parkway At The Intersection Of Mustang Parkway To Establish A Planned Development District To Allow For The (SF-PH) Single-Family Patio Home District With Modified Development Standards; Amending The Official Zoning Map Accordingly. Case No. 09-16Z1 Hamilton Park (Zoning). Case Coordinator: Loren Shapiro.**~~

~~\*44. Hold A Public Hearing To Consider An Ordinance To Amend The Zoning On An 8-Acre Tract Zoned (LR-2) Local Retail District And Located At 1024 West Rosemeade Parkway To Amend Planned Development District 198 (PD-198) To Allow For The Approval Of A Gymnasium's Building Elevations And Site Plan Modification; Amending The Official Zoning Map Accordingly. Case No. 09-16Z4 Harmony School Gymnasium. Case Coordinator: Michael McCauley.~~

**\*45. Hold A Public Hearing To Consider An Ordinance Amending Chapter 92 Nuisances, Section 92.56 Of The Carrollton Code Of Ordinances And Article XXVII Of The Comprehensive Zoning Ordinance To Amend, Add, Or Delete Definitions And Regulations Related To Light And Glare. Case No. 07-16ZT2 Glare. Case Coordinator: Loren Shapiro.**

**CONSENT AGENDA ITEMS PULLED FOR SEPARATE CONSIDERATION.**

**\*10. Consider Approval Of Lights At Rosemeade Dog Park And Rosemeade Practice Fields By Musco Lighting Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$275,000.**

**Mayor Pro Tem Hrbacek moved approval of Item 10; second by Deputy Mayor Pro Tem Babick.**

Councilmember Wilder stated this was one of the items in the budget that he did not agree with and voiced his concern with the expenditure noting that it wasn't part of the initial project or discussion.

Deputy Mayor Pro Tem Babick stated he would vote in favor because he believed these were assets that were limited in use by sunlight and the lighting would allow the citizens to use the assets after dark.

**The motion was approved with a 5-1 vote, Councilmember Wilder opposed.**

**\*29. Consider A Resolution Authorizing The City Manager To Enter Into A Tax Incentive Agreement With Billingsley Development Corporation At The Northwest Corner Of Parker Road And Plano Parkway.**

Mayor Marchant stated the item was an incentive agreement in connection with the attraction of a very large business to the city and would be one of the largest economic development deals in the history of the City.

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

Councilmember Wilder stated he would vote in opposition stating that he is against incentives and has never been able to justify it. He thanked Mr. Billingsley for his effort and what he is committing to the City.

Councilmember Sutter stated he understands the objection; stated his opinion that the Council is very judicious in the way it evaluates each deal in that they look for a return on investment. He felt that the return to the City occurs in a very reasonable period of time and at the same time, the Council is able to promote the growth that will bring thriving businesses which will enhance the quality of life for all. He stated he will vote in favor.

**The motion was approved with a 5-1 vote; Councilmember Wilder opposed.**

Mayor Marchant asked Andrea Roy, Economic Development Manager to provide a high level overview of Items 29 and 30.

Ms. Roy stated that Billingsley Development Corporation worked with the City to attract AmerisourceBergen Specialty Group currently located in various locations throughout the Metroplex to move to Austin Ranch. They will be developing a two phased campus on 39 acres that would be about a \$115M investment. In return, the City would get a Fortune 12 company with ultimately 3,000 high-paying jobs at the facility.

**\*30. Consider A Resolution Authorizing The City Manager To Enter Into A Tax Incentive And Job Creation Grant Agreement With AmerisourceBergen Specialty Group, Inc.**

**Mayor Pro Tem Hrbacek moved approval of Item 30; second by Deputy Mayor Pro Tem Babick and the motion was approved with a 5-1 vote; Councilmember Wilder opposed.**

**\*31. Consider A Resolution Authorizing The City Manager To Enter Into A Tax Incentive Agreement With Lennox Industries, Inc.**

**\*32. Consider A Resolution Nominating Lennox Industries, Inc. To The Governor's Office Of Economic Development And Tourism Through The Economic Development Bank For Designation As An Enterprise Project.**

**Mayor Pro Tem Hrbacek moved approval of Items 31 and 32; second by Deputy Mayor Pro Tem Babick.**

Deputy Mayor Pro Tem Babick stated the two items were another example the City's Economic Development Team leveraging everything it can to attract and retain businesses to insure a thriving economy in the City.

**The motion was approved with a 5-1 vote; Councilmember Wilder opposed.**

**\*42. Hold A Public Hearing To Consider A Resolution To Amend The Comprehensive Plan And The Future Land Use Map To Change An Approximately 15.7-Acre Site Located On The North Side Of Plano Parkway At The Intersection Of Mustang Parkway From Medium Intensity Office Uses To Single-Family Detached Uses. Case No. 09-16MD3 Hamilton Park (Land Use - Comp Plan). Case Coordinator: Loren Shapiro.**

**\*43. Hold A Public Hearing To Consider An Ordinance Amending The Zoning On A 15.7-Acre Tract Zoned (CC) Corporate Commercial District And Located On The North Side Of Plano Parkway At The Intersection Of Mustang Parkway To Establish A Planned Development District To Allow For The (SF-PH) Single-Family Patio Home District With Modified Development Standards; Amending The Official Zoning Map Accordingly. Case No. 09-16Z1 Hamilton Park (Zoning). Case Coordinator: Loren Shapiro.**

Mayor Marchant asked the applicant to address the process on the Slip Road, the buffer and traffic flow.

Jerry Sylo, JBI Partners, 16301 Quorum Drive, Addison, stated they represent the applicant. He stated that they will be providing a left turn lane in Plano Parkway into the main entrance and stated that the proposal includes 108 lots. He stated that because of the configuration of having to line up with Mustang Parkway the consensus reached with City staff was to have one-way slip streets that will require some traffic to make U-turns. He stated the slip street configuration would only affect nine lots and felt it was the best solution to the intersection.

Discussion was held with regard to the parking of boats and recreational vehicles. Mr. Sylo stated there would be a mandatory HOA because of all of the open space and they would prefer to prohibit recreational vehicles, boats and trailers from parking on the street as part of the deed restrictions.

Mayor Marchant opened the public hearing and there being no speakers, he closed the public hearing.

**Mayor Pro Tem Hrbacek moved approval of Items 42 and 43; second by Councilmember Lawrence and the motion was approved with a unanimous 6-0 vote.**

**\*44. Hold A Public Hearing To Consider An Ordinance To Amend The Zoning On An 8-Acre Tract Zoned (LR-2) Local Retail District And Located At 1024 West Rosemeade Parkway To Amend Planned Development District 198 (PD-198) To Allow For The Approval Of A Gymnasium's Building Elevations And Site Plan Modification; Amending The Official Zoning Map Accordingly. Case No. 09-16Z4 Harmony School Gymnasium. Case Coordinator: Michael McCauley.**

Michael McCauley, Senior Planner, presented the request noted the requirement for the Council to consider and approve the architecture of the gymnasium. He explained that part of the request is to adjust the site plan to move the gym eastward closer to the multi-family buildings. Option C was recommended for approval; was almost 100% brick and stone and consistent with the requirements outlined in the PD. He advised that staff received one notice of opposition and also that the Planning Commission recommended unanimously in favor with the Option C elevation.

Mayor Pro Tem Hrbacek asked about the current enrollment and Scott Roselius, Heights Venture Architect, 1111 N Loop West, Suite 800, Houston, representing Harmony Public Schools replied it was at 1,140 students. He stated the addition of the gym would not increase the traffic count, would not increase student count and it was already allowed in the original PD.

Deputy Mayor Pro Tem Babick asked staff to explain why the item was before the Council. Mr. McCauley explained that the applicant was not ready to construct the gymnasium at the time of the initial application and rather than placing numerous stipulations in the ordinance, it was agreed that the applicant would return to Council for approval of the architecture. He also confirmed that 1,200 students was the maximum number of students allowed. Mr. Roselius confirmed that the new gym would not create any new traffic.

Councilmember Blanscet asked if there would be competitions that would bring other schools to the gymnasium. Mr. Roselius stated the existing gym is currently used for those purposes and the new gym would be used in the same manner. The school hosts four or five games for basketball, girls and boys, with the home games starting around 7:00 pm. Mr. Roselius further explained that moving the gym eastward allows the campus to surround the outside play area making the playground closer to the elementary school and the soccer field closer to the high school. He did not feel that having to walk a little farther from parking would be a large issue.



Councilmember Sutter asked about the expected use of the smaller gym. Mr. Roselius stated the plan is to make six new classrooms in the area. He stated the goal was not to increase student count; the goal was to decrease ratio in each classroom.

Mayor Pro Tem Hrbacek stated he did not support the item in January when it was initially before the Council and provided data regarding student count per acre at other schools. He stated this was something he could not support.

Mayor Marchant reminded Council that the item was not for approval of the use.

Councilmember Sutter felt the reconfiguration of the site was admiral. He noted that although most campuses have more space, the buildings and the concentration in traffic still moves from two or three main driveways and this was the same situation.

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

Ross Barns stated he is the owner of land located directly to the north, Carrollton West Pet Hospital, and stated his biggest concern was traffic because of complaints he is receiving from clients about the amount of time it takes to get through certain intersections. He talked about other problems with students including cutting the fence and fighting. He felt that increased capacity would hinder what Carrollton West Pet Hospital is doing.

There being no other speakers, Mayor Marchant closed the public hearing and opened the floor for a motion.

**Councilmember Sutter moved approval of the request; second by Deputy Mayor Pro Tem Babick.**

Deputy Mayor Pro Tem Babick reiterated that the case is about design approval. He stated that the ramification of traffic with regard to the school was considered in January and the City should be considering the timing of lights at intersections to address congestion when possible. He felt that since the gymnasium was approved as part of the initial request, it would be wrong for the Council to change it now. He stated that he voted in favor of the item initially and would vote in favor tonight.

Councilmember Wilder felt the number of students didn't work on the site noting the average for CFBISD and LISD campuses in the City is 35 students per acre. He stated he had concerns about traffic in January and felt the traffic congestion wasn't from Old Denton but was due to the school. He suggested the Council change 3.1 of the ordinance to adjust the student count to a much lower number. He stated he would vote against the motion to approve.

Mayor Marchant suggested the student count could be lowered to 1150 without impacting the current operations.

Deputy Mayor Pro Tem Babick talked about the difference of public and private schools with regard to space and financial capacity. He stated that while his children attend public school, he felt the City should embrace the fact that Harmony is successful and live up to the Council's longer term commitment of an alternative in education. He further suggested that staff should review the traffic situation.

Mayor Pro Tem Hrbacek stated he recognizes the differences and supports educational options but felt the ratio of students per acres was significant. He stated that if the current motion is denied, he might be able to support a motion with a reduction in the student count in the 1150 neighborhood.

Councilmember Blanscet agreed that the school created a large traffic problem and felt there must be something that could be done to address the congestion. He stated he would be in favor of reducing the allowed student count and did not feel the gymnasium would increase the traffic. He asked Councilmember Sutter if he would amend his motion to reduce the allowed number of students to 1150.

Councilmember Sutter stated he was troubled by reducing something that was already approved. He felt it was inherit on them to honor prior obligations by previous councils when possible. He did not accept the amendment.

Councilmember Blanscet made a motion to amend the motion with a reduction of the number of students permitted on the property to 1150 students; second by Councilmember Lawrence.

Deputy Mayor Pro Tem Babick asked the applicant if the reduction to 1150 would be a problem. The Principal stated the gymnasium was very important and reiterated that they would still have the same number of home games as they currently have. He stated he was not prepared to address the number of students because it was already approved and he did not know it would be discussed. He stated he was not authorized to address the reduction to 1150 and again stated the gym was important. Mr. Roselius stated each class is about 25 students so the reduction would affect two classes.

The motion to amend was approved with a 4-2 vote; Deputy Mayor Pro Tem Babick and Councilmember Sutter opposed.

Mayor Marchant explained that with that vote, the motion before the Council is a motion to approve Item 44 with the added stipulation that Section 3 Item 1 would be amended to say a maximum of 1,150 students. The motion was approved with a 5-1 vote; Councilmember Wilder opposed.

## **PUBLIC HEARING - INDIVIDUAL CONSIDERATION**

**46. Hold A Public Hearing To Consider And Act On An Ordinance To Amend The Zoning And Establish A Special Use Permit For All Other Amusement & Recreation Industries (Indoor Gun Range) On An 2.58-Acre Tract Zoned (LI) Light Industrial District And Located At 2401 Tarpley Road; Amending The Official Zoning Map Accordingly. Case No. 08-16SUP4 Texas Legends**

Mayor Marchant advised that the applicant withdrew the application.

Mayor Marchant adjourned the Regular Meeting at 8:24 pm and announced that Council would convene in Executive Session.

### **\*\*\*EXECUTIVE SESSION\*\*\***

2. Council convened in **Executive Session at 8:34 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.

- **Section 551.072** to discuss certain matters regarding real property

**3. Council reconvened in open session at 8:57 pm** to consider action, if any, on matters discussed in the Executive Session. No action necessary.

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

Mayor Marchant adjourned the meeting at 9:05 pm.

**ATTEST:**



Laurie Garber, City Secretary



Matthew Marchant, Mayor

