

**CARROLLTON CITY COUNCIL  
REGULAR MEETING AND WORKSESSION  
MARCH 19, 2019**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, March 19, 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, Chrystal Davis and Bob Scott, City Attorney Meredith Ladd and City Secretary 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.
  - **Section 551.087** to discuss Economic Development
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\*\*\***

4. Discuss **Proposed Amendments To The Sign Code.**

Bldg Official Brett King explained that staff has been working on revamping the Sign Code to make it work better by correcting the flow of the items, clarifying items and proposing a few amendments. He discussed the following items:

- Window sign limitations
- Awning sign criteria
- Multi-story office building signs
- Digital fuel price signs
- Rooftop signs
- Cold air inflatable devices

King further noted that the Legal staff has reviewed the entire sign ordinance and recommended changing/removal of sections that would render any of the ordinance unconstitutional due to recent US Supreme Court rulings, specifically *Reed v. Town of Gilbert*. He stated this case particularly required a change regarding stake signs such as is used by homebuilder or apartment complexes. To this end, he provided a survey of the action other cities have taken or are considering taking. He stated that most cities do not allow homebuilder or stake signs. He talked about the impacts of the

change and explained the contact made with the sign community, apartments and homebuilders. The primary feedback regarding the change by those using the signs was that it was okay to not use the signs so long as the playing field was level.

Councilmember Blanscet reported on the extensive discussion by the Redevelopment Subcommittee.

Councilmember Babick asked about the impact on political signs and King replied that language was included to clarify that political signs are not allowed in the right-of-way which is not a change; just a clarification. He also noted that there is a section in the Sign Code regarding political signs and noted that political signs are also regulated by State law. He stated that municipal signs are excluded and might be left to interpretation. With regard to inflatable signs, King clarified that it is the motion of the signs that would be prohibited. Digital signs cannot flash or move; must be static for seven seconds at a time. Councilmember Babick asked for reconsideration of prohibiting the wacky inflatable signs that move because it is used by small businesses. King and Community Development Director Ravi Shah explained that staff has eliminated many signs in an effort to address the aesthetics of the City's corridor and Shah also made note of safety concerns. King advised that while staff has not conducted a survey on that particular sign, he noticed that many cities prohibit those types of signs.

Councilmember Sutter noted that retailers don't have many options and agreed that it is important to allow retailers to do something on occasion. King talked about the types of signs that are still available noting that banner signs, bound to the building, can be permitted four times a year, special event permits and motionless balloon type signs that are bound.

**5. Discuss Cotton Belt Regional Veloweb Trail And The Carrollton Hike-And-Bike Trail Program.**

City Engineer Cesar Molina stated that staff is currently working on three trail connections. He explained that years ago, staff tried to build a trail between the downtown station and the Trinity Mills Station and ultimately decided to construct wider sidewalks because DART did not want it but now there are new people at DART who do want it. The second trail is a link from the Trinity Mills Station to Old Denton. He stated that staff hopes to finalize the design by the end of June and begin work in the Fall. The third trail is the one the City received a grant from NCTCOG to build a trail from the Frankford Station to ultimately go to Old Denton and hopefully to the Recreation Center. He stated that staff hopes to have an item before the Council in the spring time to award the design contract. With regard to the Regional Veloweb Trail, he explained that it is a system of trails that has been discussed by the NCTCOG for about 20 years and he provided a map. The idea is to create links so people have the option to walk or cycle rather than drive. One of the links is a trail that runs along the Cotton Belt from Fort Worth to the airport all the way to the city of Plano. He stated that some segments were identified to be built with the Cotton Belt project and he was told that some funding was available. Molina explained that staff submitted a placeholder application for Segment 7 which has an estimated cost of \$1.7M; NCTCOG would pay about three quarters of the cost or about \$1.2M and would ask for a City match of about \$416,000. He explained that if Council is interested in pursuing the grant, staff would prepare a Resolution to that effect for approval at the next meeting. A lengthy discussion was held about various connections and funding. No objections were raised.

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

Mayor Falconer recessed the Worksession at 6:55 pm to convene the Regular Meeting.

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

Mayor Falconer convened the Regular Meeting at 7:09 pm.

**INVOCATION** – Councilmember Glen Blanscet

**PLEDGE OF ALLEGIANCE** – Councilmember Frances Cruz

**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 Falconer announced that Items 10 and 11 were pulled from the Consent agenda for separate action.

**Councilmember Blanscet moved approval of Consent Agenda Items 7-9 and 12-17; second by Councilmember Hennefer and the motion was approved with a unanimous 7-0 vote.**

**MINUTES**

**\*7. Consider Approval Of The March 5, 2019 Regular Meeting Minutes.**

**BIDS & PURCHASES**

**\*8. Consider Approval Of The Purchase Of One (1) Ford Explorer For Police Operations And Three (3) Ford F-150's For Various City Departments From Sam Pack Five Star Ford Through An Inter-Local Agreement With Tarrant County In An Amount Not To Exceed \$107,979.00.**

**\*9. Consider Authorizing An Increase In The Contract Amount For Janitorial Services To CTJ Maintenance, Inc., In The Amount Of \$80,290.00 For A Revised Annual Contract Not To Exceed Amount Of \$447,430.00.**

**CONTRACTS & AGREEMENTS**

~~**\*10. Consider Authorizing The City Manager To Approve A Contract With IBCTX, LLC For The 2019 Bridge Rail Painting Project In The Amount Of \$211,700.00.**~~

**ORDINANCE**

~~**\*11. Consider An Ordinance Adopting Amendments To Section 151 Of The Carrollton Code Of Ordinances (Sign Code).**~~

**\*12. Consider All Matters Incident And Related To The Issuance And Sale Of "City Of Carrollton, Texas, General Obligation Improvement And Refunding Bonds, Series 2019", Including The Adoption Of An Ordinance Authorizing The Issuance Of Such Bonds, Establishing Parameters For The Sale And Issuance Of Such Bonds And Delegating Certain Matters To Authorized Representatives Of The City.**

**\*13. Consider All Matters Incident And Related To The Issuance And Sale Of "City Of Carrollton, Texas, Waterworks and Sewer System Revenue Bonds Series 2019", Including The**

**Adoption Of An Ordinance Authorizing The Issuance Of Such Bonds, Establishing Parameters For The Sale And Issuance Of Such Bonds And Delegating Certain Matters To Authorized Representatives Of The City.**

**RESOLUTIONS**

**\*14. Consider A Resolution Authorizing The City Manager To Execute Documents Necessary To Acquire Two Temporary Construction Easements For The Construction Of A Drainage Channel And Bridge Adjacent To And Beneath Crosby Road For The Crosby Road Channel Improvements Project.**

**\*15. Consider A Resolution Authorizing The City Manager To Execute Documents Necessary To Enter Into An Easement Encroachment Agreement With Denton County Electric Cooperative, Inc., DBA CoServ Electric, To Allow For The Placement Of Electric Conduit And Wiring Across And Within Easements Dedicated To The City Of Carrollton.**

**\*16. Consider A Resolution Authorizing The City Manager To Enter Into Single-Family Rehabilitation Grant Incentive Agreements On Three Eligible Properties Located Within Neighborhood Empowerment Zones, In A Total Grant Amount Not To Exceed \$15,010.07.**

**\*17. Consider A Resolution Acknowledging Receipt Of The Comprehensive Annual Financial Report For The Fiscal Year Ended September 30, 2018.**

**ITEMS REMOVED FROM CONSENT AGENDA FOR INDIVIDUAL CONSIDERATION**

**\*10. Consider Authorizing The City Manager To Approve A Contract With IBCTX, LLC For The 2019 Bridge Rail Painting Project In The Amount Of \$211,700.00.**

**Councilmember Babick moved to deny Item 10 in the hopes of deferring this to a later date and getting more competitive bids; second by Councilmember Hennefer.**

Mayor Falconer explained that only one bid was submitted. Councilmember Blanscet stated that while he will vote in favor of the motion, he wasn't particularly troubled noting that there have been other occasions when only one bid was submitted. He noted that the bidder was a contractor who has done this type of work for the City on other projects. He added that since this was not an essential project, he was not opposed to rebidding the project. Councilmember Babick agreed that it wasn't terribly troubling but was a significant amount.

**The motion to deny was approved with a 6-1 vote, Cruz opposed.**

**\*11. Consider An Ordinance Adopting Amendments To Section 151 Of The Carrollton Code Of Ordinances (Sign Code).**

Councilmember Babick stated his appreciation for the work conducted by staff to clean up the Sign code but as a fan of small businesses, he wanted to save the wavy wacky man.

**Councilmember Babick moved to approve Item 11 with the changes presented by staff and with the removal of the word "motionless" in Section 151.38.A; second by Mayor Pro Tem Sutter.**

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Mayor Sutter spoke in favor of allowing this for small businesses and special events. Deputy Mayor Pro Tem Sung also agreed with the proposed change.

**The motion was approved with a unanimous 7-0 vote.**

#### **PUBLIC HEARING - INDIVIDUAL CONSIDERATION**

**18. Hold A Public Hearing And Consider An Ordinance Adopting Standards Of Care For Administering Summer Camp.**

Mayor Falconer presented the item explaining that the ordinance adopting standards of care was required in order for the City to host a summer camp. He opened the public hearing and invited speakers to address the Council. There being no speakers, Mayor Falconer closed the public hearing and opened the floor for discussion or a motion.

**Councilmember Cruz moved approval of Item 18 regarding an ordinance adopting standards of care for administering summer camp; second by Councilmember Babick.**

Councilmember Cruz thanked the staff for putting together a summer camp. With the costs of child care increasing, she felt it was important to have a safe place, like a summer camp, for the children to go that is cost effective for the citizens.

**The motion was approved with a unanimous 7-0 vote.**

#### **PUBLIC FORUM**

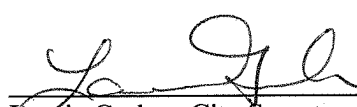
**19. Hearing of any citizen/visitor on items not listed on the regular meeting agenda. Citizens wishing to address the Council regarding items on the posted agenda will be called to speak during the Council's consideration of such items.**


*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.*

Shirley Tarpley, 1507 Milam Way, addressed the Council regarding Women's History Month and Black Women in History specifically recognizing Miriam Croke, Henrietta Branbury, Bessie Coleman, Ethel Paine, and Evelyn Ashford.

**ADJOURNMENT** - Mayor Falconer adjourned the meeting at 7:26 pm.

**ATTEST:**

  
Laurie Garber, City Secretary

  
Kevin W. Falconer, Mayor

