



## City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

### Meeting Minutes

### City Council

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Tuesday, March 8, 2016

4:00 PM

Study Session Room

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Work Session Meeting to be held at 4:00 PM in the Study Session Room

- Presiding:** 1 - Mayor Bob Phelps
- Present:** 4 - Deputy Mayor Pro Tem Harold Froehlich, Council Member John Norwood, Council Member Ana Reyes, Council Member Mike Bomgardner
- Absent:** 1 - Mayor Pro Tem Kirk Connally
- Staff:** 11 - Charles Cox Managing Director Administration, Amy Piukana City Secretary, Kevin Laughlin City Attorney, John Land Managing Director Operations, Andy Gillies Community Services Director, Shane Davis Environmental Services & Solid Waste Manager, Randy Walhood Public Works Director; Allison Cook Economic Development Manager; Hugh Pender Building Official; Ray Mendez Code Enforcement Supervisor; LaJearna Thomas Executive Assistant Administration

#### A. STUDY SESSION

Mayor Phelps called the meeting to order at 4:00 p.m.

##### A.1 16-072 **Receive an update and review a request from Oakbrook Homeowner's Board of Directors.**

Ms. Phyllis Holloway, President of the Board of Directors for Oakbrook Homeowner's Association briefed City Council regarding the history of Oakbrook. Ms. Holloway noted Oakbrook is comprised of 155 homes sitting on approximately 60.899 acres. She further stated, the community was developed in the 1970's and completed in the 1980's. Ms. Holloway explained the Developer built private streets and infrastructure which did not meet City



subdivision regulations. She further stated this is an aging community with (6) streets in urgent need of repairs. She further explained the HOA does not have the funding available for maintenance and repairs to the aging infrastructure.

Ms. Holloway explained the HOA collects monthly fees in the amount of \$275.00 from each homeowner. She stated, at this time, monies are used to pay for cost of utilities. She noted the HOA is financially responsible for all water (house and irrigation) lines, noting the homes are not individually metered. She further stated the HOA is financially responsible for all street lights, electricity, landscaping including common areas, and brick masonry screening wall repairs.

Ms. Holloway explained the HOA has saved approximately \$14,000. She asked the city if she should use the money to obtain cost estimates to review infrastructure or simply use for repairs. She noted that the meeting tonight is an attempt to check with the City and seek direction regarding any other funding resources.

Council Member Reyes asked City Administration if any streets located in the Oakbrook Community have been analyzed by the city. Public Works Director Randy Walhood replied private streets are not rated by the city and do not meet subdivision standards.

Council Member Reyes asked Ms. Holloway what the top priorities of repairs are at this time. Ms. Holloway replied streets need repairs, water meters, brick walls and north perimeter fence are all in need of repair.

Managing Director John Land stated obtaining funding is the only solution. Mr. Land discussed a possible option of using a city initiated public improvement district.

Mr. Land asked about water meters, and if residents are open to individual meters to pay for what is used at each residence. Ms. Holloway explained the residents are divided on this issue.

Mr. Walhood reviewed other HOA's with private streets noting (2) are in similar situations. Council Member Reyes reminded City Council that whatever position is taken, it must be fair to other Homeowner's Associations.

Mayor Phelps stated the first option should be private financing through HOA, second option would be to consider a public improvement district. Managing Director Charles Cox recommended Oakbrook obtain a list of prioritized needs.

Managing Director of Operations John Land noted infrastructure may be more critical than roads.

After discussion, Council Member Norwood advised the Oakbrook HOA to obtain a needs assessment with a prioritized list showing the costs and identifying the scope of projects.



A.2

Ord-3360

**Consider adopting Ordinance No. 3360 Amending Chapter 66 of the Farmers Branch Code of Ordinances related to solid waste and recycling; and take appropriate action.**

Environmental Services & Solid Waste Manager Shane Davis briefed City Council regarding this item. Mr. Davis reviewed the timeline noting December 7, 2015 City Council selected garbage and recycling services. He stated March 2016 staff was instructed to implement an ordinance and to continue public education. Mr. Davis further stated April 4, 2016 is the first day of service by CWD. Mr. Davis reviewed the proposed Ordinance noting new definitions have been provided and reviewed updated garbage regulation changes. Mr. Davis further stated a new section will be added, Article III, Collection of Recyclable Materials with a fine up to \$500 per day per offense. Mr. Davis reviewed a Code Enforcement comparison chart with other cities reviewing time frame to place carts out, retrieval times, fines, and storage requirements. Mr. Davis reviewed the estimated impacts of cart storage.

Council Member Norwood stated the goal is to encourage recycling. He expressed concerns regarding the \$500 a day penalties and screening regulations, noting these could be too strict.

Mr. Pender explained the fine is \$0 to a maximum of \$500, and based on the judge's discretion.

Council Member Reyes expressed concerns with cart visibility supporting cart screening.

Council Member Bomgardner asked for a 6 month period to allow residents to comply with new standards.

Deputy Mayor Pro Tem Froehlich asked staff to educate residents and allow time for residents to comply with new standards.

Council Member Reyes asked that costs be covered.

Mr. Pender stated Council will receive Code Enforcement updates on a quarterly basis, and will include updates on this program. Code Enforcement Ray Mendez passed out a tag flyer that shows the warning residents will receive for violations.

Council Member Norwood advised staff to add the wording, "possible fine of \$0 up to a maximum fine of \$500 a day in bold print." Mr. Mendez noted he would add this to the flyer.

Mr. Gillies noted 60-90 days would be given to allow residents an education period to comply and meet regulations.

Council discussed screening options. Council Member Norwood advised City Administration to provide a screening standard making sure to note the recycling container is not visible from the street, must be located either



behind a privacy fence, or behind a screening panel located no closer to the street than the farthest portion of the front façade from the street. Council agreed to allow opaque materials for screening and for residences with alley collection, recycling containers shall be removed to a location that is closer to the house than the alley line.

**A.3      16-064      **Discuss the creation of a standing committee that will evaluate and promote city-wide sustainability initiatives and make recommendations to City Council.****

Council discussed issues with placement of recycling drop off areas and alternatives. Council Member Norwood recommended the new sustainability committee review and address these issues and provide City Council with a recommendation.

Environmental Services & Solid Waste Manager Shane Davis briefed City Council regarding this item. Mr. Davis reviewed similar city committees noting these types of committees are developed in order to educate the public and act as a contact and voice to residents. He further stated some recommend policies and practices to council that promote environmental stewardship. Mr. Davis reviewed Committee details recommending 5-9 committee members.

Council Member Reyes recommended a higher number in order to maintain a quorum.

Managing Director of Operation John Land noted staggering term limits is beneficial to maintaining a knowledgeable board.

Council asked staff to move forward with the creation of this board.

Mayor Phelps recessed for a five minute break at 5:52 p.m. and into closed Executive Session at 5:57 p.m.

The City Council may convene into executive session at any time during the Work Session pursuant to Texas Government Code Section 551.071(2) for the purpose of seeking confidential legal advice from the City Attorney on any regular or study session agenda item.

**B.      EXECUTIVE SESSION**

- B.1      16-077      Council may convene into closed Executive Session pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment, and evaluation of the City Manager.**



**C. RECONVENE INTO REGULAR SESSION AND TAKE ANY ACTION NECESSARY AS A RESULT OF THE CLOSED SESSION**

Deputy Mayor Pro Tem Froehlich motioned to accept the resignation of Gary Greer as City Manager; and to approve a Severance Agreement by and between Gary Greer and the City of Farmers Branch, Texas, as presented. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

**Aye: 4 -** Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Council Member Norwood and Council Member Bomgardner

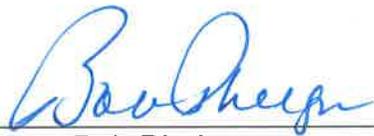
Council Member Bomgardner made a motion to appoint Charles Cox as interim City Manager for the City of Farmers Branch effective immediately and to increase his base pay by 10% while serving as the interim City Manager. Motion seconded by Council Member Norwood. Motion prevailed by the following vote:

**Aye: 4 -** Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Council Member Norwood and Council Member Bomgardner

**D. ADJOURNMENT**

Motion made by Council Member Norwood. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

**Aye: 4 -** Deputy Mayor Pro Tem Froehlich, Council Member Reyes, Council Member Norwood and Council Member Bomgardner

  
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Mayor Bob Phelps

Attest:

  
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City Secretary

