



City of Farmers Branch

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

Meeting Minutes

City Council

Tuesday, June 7, 2016

6:00 PM

Council Chambers

Study Session Meeting to be held at 3:00 PM in the Study Session Room

- Presiding:** 1 - Mayor Bob Phelps
- Present:** 5 - Mayor Pro Tem Harold Froehlich, Council Member John Norwood, Council Member Terry Lynne, Deputy Mayor Pro Tem Ana Reyes, Council Member Mike Bomgardner
- Staff:** 20 - Charles Cox City Manager, John Land Managing Director, Amy Piukana City Secretary, Pete Smith City Attorney, Shawna Eikenberry Assistant to the City Manager, Police Chief Sid Fuller, Deputy Police Chief David Hale, LaJeana Thomas Executive Assistant Administration, Allison Cook Economic Development Manager, Stephanie Hall Economic Development Assistant, Andy Gillies Community Services Director, Randy Walhood Public Works Director, Hugh Pender Building Official, Shane Davis Environmental Services and Solid Waste Manager, Mitzi Davis Parks and Recreation Project Manager, Jeff Harting Parks and Recreation Director, Miguel Gauna Animal Services Manager, Steve Parker Fire Chief, Gabe Vargas Deputy Fire Chief, Tim Dedear Fire Marshall, Brian Beasley Director of Human Resources

A. STUDY SESSION

Mayor Phelps called the meeting to order at 3:00 p.m.

- A.1 16-143 Discuss regular City Council meeting agenda items.

Mayor Pro Tem Froehlich asked for discussion regarding Agenda Item G.2, to consider approving Resolution No. 2016-055, reappointing Faye Moses Wilkins to the DART Board of Directors. Mayor Pro Tem Froehlich asked if all City Council would be able to meet Ms. Wilkins prior to reappointment. City Manager Charles Cox explained Ms. Wilkins is the Farmers Branch Representative who is seeking reappointment to the DART Board of Directors, noting this item can be tabled and he will ask Ms. Wilkins to attend the next City Council meeting and provide City Council with an update during Study Session. City Council agreed to table this item to the June 21, 2016, City Council meeting.

A.2 16-152 Discussion regarding live entertainment for special events.

Parks Special Projects Manager Meredith Dowdy briefed City Council regarding the calendar year end 2016 Special Event Live Entertainment Calendar. Ms. Dowdy reviewed the schedule for the remainder of 2016. Ms. Dowdy noted entertainment is planned but not booked for the Farmers Market on the remaining first Saturday of each month as well as Food Truck Saturdays at the Farmers Market, July 30 and October 29.

Council discussed food trucks, event attendance, restroom facilities, cost for events, marketing of events, and music venues.

Council Member Bomgardner asked staff to include cultural events for all residents to include different cultures and nationalities.

Council Member Norwood asked staff to be creative and consider all events, not just musical events, that would attract people. He noted Fair Park has a great tiny house exhibit, that attracts a very large crowd.

A.3 16-144 Discuss agenda items for future City Council meetings.

Council Member Bomgardner asked that discussion regarding 2016-17 City Council Calendars be brought back for discussion, noting he would like to request moving a Council meeting in January 2017. Council Member Reyes asked for an update regarding the Interstate 35 construction project be provided to City Council. Mayor Pro Tem Froehlich asked for a legal update regarding the creek. Council member Norwood asked about the status regarding the comp study. Human Resource Director Brian Beasley replied that the data is currently being analyzed. He further stated preliminary numbers will be wrapped up prior to July 30th. Mayor Pro Tem Froehlich asked for an update regarding the Health Clinic. Managing Director John Land noted this Friday, updates will be provided regarding Economic Development.

Mayor Phelps announced a 10 minute recess would be taken at 3:44 p.m.

Mayor Phelps skipped to Agenda Item J.1, Executive Session at 4 p.m.

J. **EXECUTIVE SESSION**

- J.1** 16-148 City Council may convene into executive session pursuant to Texas Government Code Section 551.076 deliberation regarding security devices:
- Briefing by Deputy Chief Hale regarding the deployment, or specific occasions for implementation, of security personnel or devices.
- City Council may convene into a closed executive session pursuant to Section 551.072 of the Texas Government Code to deliberate regarding:
- Discuss the purchase, exchange, lease, or sale of real property located at 2712 Mount View.

Mayor Phelps recessed from Executive Session at 5:02 p.m.

Mayor Phelps called the Regular Meeting to order at 6:00 p.m.

B. INVOCATION & PLEDGE OF ALLEGIANCE

Council Member Mike Bomgardner provided the Invocation and Zachary Jutras with Boy Scout Troop 59 led the Pledge of Allegiance.

C. CEREMONIAL ITEMS

- C.1** 16-153 Presentation of the Farmers Branch Fire Department's 2016 Fire and Life Safety Excellence Award.

Mayor Phelps introduced Fire Chief Steve Parker and Deputy Chief Tim Dedear who presented the 2016 Fire and Life Safety Excellence Award to Mr. Mark Floyd, Chief Building Engineer for Providence Towers. Deputy Chief Dedear explained Mr. Floyd spends most of his time maintaining a Class A 12-story high rise building and a 5-story parking garage in the City of Farmers Branch, noting the Providence Towers building safety requirements go above and beyond any typical commercial asset safety program.

- C.2** 16-154 Consider accepting a donation for the Farmers Branch Senior Center from the Farmers Branch Woman's Club; and take appropriate action.

Mayor Phelps recognized the Farmers Branch Women's Club who were in attendance. Ms. Bitsy Laney spoke providing Ed Toliver and Mayor Phelps with a check payment in the amount of \$2,500.000 to the Parks and Recreation Department for the Farmers Branch Senior Center. Parks and Recreation Director Jeff Harting thanked the Women's Club for being an exceptional partner with the city expressing his appreciation for their support.

Motion by Mayor Pro Tem Froehlich to accept the donation in the amount of \$2,500.00, Motion seconded by Council Member Lynne. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

D. REPORT ON STUDY SESSION ITEMS

Council Member Lynne provided an update regarding Study Session items.

E. CITY MANAGER'S REPORT AND ITEMS OF COMMUNITY INTEREST

City Manager Charles Cox provided the following report and community interest items:

- Don't forget the all-new Farmers Branch Market is up and running every Saturday from 8 a.m. to 12 noon through the end of October. A fresh take on the traditional Farmers Market concept, the market features produce, meat and egg vendors along with arts, crafts and specialty items for sale. Farmers Branch Market can be found at The Grove @ Mustang Crossing at the corner of Bill Moses Parkway and Denton Drive. Visit farmersbranchmarket.com.
- The popular Tastes & Tunes summer food truck concert series returns to The Grove next week on Thursday, June 16 with The Beatles tribute band, "Hard Night's Day." A variety of food trucks will be on hand during the event from 6 until 9 p.m. that evening. In addition, craft beer and wine will be available for sale. Lawn chairs and blankets are recommended for lawn seating, but the Friends of the Farmers Branch Historical Park will be there to rent chairs for \$2 each. Admission is free. Also, please note that last month's Taste & Tunes event – that was canceled due to weather – has been rescheduled for Thursday, June 30 and that will feature the Mowtown sounds of "All Funk Radio Show." Visit fbspecialevents.com.
- The Council-appointed Citizen Bond Committee is inviting residents to one of two – or both – "Listening Meetings" scheduled for Tuesday, July 19 at 2 p.m. at the Senior Center and at 7 p.m. at the Community Recreation Center. The Committee is hoping to get insight from residents on their preferences for possible bond issues for a 2017 ballot. Anyone with ideas for a bond issue should visit farmersbranchtx.gov/bond.
- Farmers Branch will celebrate Independence Day with a bang on Sunday, July 3 with the annual Red, White and Blue festivities at the Farmers Branch Historical Park. Gates will open at 6:30 p.m. and admission is free. There will be a concert from the band "Inside Out" along with a free KidZone area, historical structure tours, Uncle Willie's Pie Eating Contest and concessionaires selling festival favorites. The traditional low-level fireworks show will conclude the festivities after dark. Please be aware that this is a popular event and if the park reaches capacity, the gates will be closed so early arrival is recommended. Find out more at fbspecialevents.com.
- You can sign up for eNews at farmersbranchtx.gov to have current City news and information delivered directly to your eMail box.

F. CITIZEN COMMENTS

The following citizens wished to speak under Citizens Comments:

Steven Morrison, 2909 Bergen Lane, spoke regarding his concerns with Code Enforcement regarding his neighbor and expressed concerns regarding Onco equipment being stored on private property.

Becky Fisher, 13935 Stardust Lane, spoke expressing her concern regarding unlicensed vendors selling food items from a bicycle within her neighborhood.

Pat Edmiston, 14215 Tanglewood, spoke regarding Code Enforcement, specifically trash concerns, advising enforcement of ordinances pertaining to trash related issues.

Robin Bernier, 13830 Heartside Place, spoke regarding Code Enforcement regarding partially painted houses and mobile food carts throughout the neighborhood.

Heather Adcox, 2946 Valwood Parkway, spoke regarding safety concerns, asking that the speed limit on Valwood Parkway be reduced, and requested additional stop signs at Bee Street.

G. CONSENT AGENDA

- G.1** 16-135 Consider approving minutes of the May 3, 2016, and Special Called meeting held on May 24, 2016; and take appropriate action.
- G.2** R2016-055 Consider approving Resolution No. 2016-055, re-appointing Faye Moses Wilkins to the DART Board of Directors; and take appropriate action.
(Tabled June 21, 2016 meeting.)
- G.3** ORD-3375 Consider adopting Ordinance No. 3375, amending the City of Farmers Branch Code of Ordinances, Chapter 82, Traffic and Vehicles, Article II, Division 2, Section 82-34, amending speed limits on Valwood Parkway and Division 5, Section 82-73, adding stop signs along Valwood Parkway; and take appropriate action.
- G.4** 16-146 Consider amending the City Council meeting dates for the month of October and December 2016; and take appropriate action.

Motion made by Mayor Pro Tem Froehlich to approve Consent Items G.1, G.3, and G.4, as presented. It was noted Agenda Item G.2 will be tabled to the June 21, 2016, City Council Meeting. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

H. PUBLIC HEARINGS

- H.1** ORD-3373 Conduct a public hearing and consider adopting Ordinance No. 3373 granting a Specific Use Permit for a church located at 2001 Academy Drive; and take appropriate action.

Community Development Director Andy Gillies briefed City Council regarding this item. Mr. Gillies explained the current zoning is, PD-77 (Planned Development District No. 77). He noted this zoning includes a provision for Church and Rectory uses be permitted with a Specific Use Permit. He further noted the applicant is requesting special exceptions in regards to building setbacks at Senlac Drive and Hutton Drive. Mr. Gillies reviewed the 2003 West Side Plan noting the Comprehensive Plan for the western portion of the City, has designated this area as a future Employment District. He noted that with the introduction of new residential development south of the site (including the Brickyard multi-family community and the new Centurion American master-planned residential community) the West Side may need more community oriented land uses.

Council Member Norwood asked who owns the 60 acres site nearby and if the GNB Site is located nearby. Mr. Gillies replied Centurion American owns the 60 acre property stating the GNB site is nearby.

Mayor Pro Tem Froehlich asks if there are any restrictions in dealing with religious organizations. Mr. Gillies explained the City has zoning districts which allow churches by right, however noted some zoning districts require a SUP to allow churches. Mr. Gillies explained this site requires a SUP for this type of use.

Council Member Lynne asked if the parking plan is sufficient for this type of use. Mr. Gillies replied that the parking should be sufficient, noting surrounding businesses are closed during the hours of operation which would allow more parking during service times.

Council Member Reyes asked with redeveloping the West Side what type of impact would a church at this location affect alcohol sales with a future restaurant. Mr. Gillies explained this would not affect the future development of a restaurant.

Council Member Bomgardner asked if other churches are located in this area. Mr. Gillies noted several churches are located in the area, however; denominations differ.

Mayor Phelps opened the public hearing. There were no citizens present that wished to speak. Motion made by Mayor Pro Tem Froehlich to close the Public Hearing. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes,
 Council Member Norwood, Council Member Bomgardner,
 Council Member Lynne

Council Member Reyes made a motion to adopt Ordinance No. 3373, as presented. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

- H.2** ORD-3374 Conduct a public hearing and consider adopting Ordinance No. 3374, approving a Specific Use Permit for the construction of a detached accessory structure (exceeding 120 square feet in size) located at 14304 Olympic Court; and take appropriate action.

Community Services Director Andy Gillies briefed City Council regarding this item. Mr. Gillies explained the property is located in a single family Residential Zoning District (R-2) which is comprised of single-family homes. The applicant is requesting a Specific Use Permit to build a detached accessory building, approximately 336 square feet, located in the rear yard on the northwestern portion of the lot. Article 15 of the Comprehensive Zoning Ordinance dictates that any residential accessory building that is larger than 120 square feet requires a Specific Use Permit. Mr. Gillies explained the accessory building has a 42 ft. setback from the rear property line and 76 ft. from the side property line.

Mayor Phelps opened the Public Hearing. There being no one present that wished to speak, Council Member Norwood made a motion to close the Public Hearing and approve Ordinance No. 3374, as presented. Motion seconded by Council Member Lynne. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

I. REGULAR AGENDA ITEMS

- I.1** 16-155 Receive a Report on Findings and Recommendations from DMOProz on Highest and Best Use of Available Hotel Occupancy Tax Fund Revenue.

Assistant to the City Manager Shawna Eikenberry briefed City Council regarding this item. Ms. Eikenberry noted the City went through a request for proposal process and selected DMOProz to conduct marketing studies and recommendations. Ms. Eikenberry introduced Mr. Bill Geist who briefed City Council regarding Hotel Motel Funds. Mr. Geist reviewed the following destination advantages: Occupancy is up to 71.3% for hotels with meeting space, Brookhaven Country Club, Dr. Pepper Starcenter and the Firehouse Theatre Offer unique off site opportunities for meeting planners, and public parks and community aesthetics are exceptional. Mr. Geist reviewed the following destination challenges: Lack of a destination defining attraction, Lack of independent destination restaurants, Lack of a critical mass of sports facilities, and the Historical Park is understaffed to serve as a heritage site and event venue. Mr. Geist reviewed the Texas HOT Statutes and the Return on Investment Comparisons recommending increasing investment into destination marketing by hiring 3 new contractors, 1) Destination Marketing Specialist, 2) Content and Event Specialist, and 3) Contract Salesperson. Mr. Geist further recommended dramatically increasing Digital and Social Media marketing. Mr. Geist explained the

Historical Park needs more staff in order to maximize opportunities, identify new revenue streams, and begin to remove Historical Park from the Tourism fund.

No action was taken on this item.

- I.2** R2016-056 Consider approving Resolution No. 2016-056 authorizing an agreement with Freese and Nichols for Professional Engineering Services for the Farmers Branch Creek Watershed Project; and take appropriate action.

Public Works Director Randy Walhood briefed City Council regarding this item. Mr. Walhood explained based on the recommendation of the Storm Water Advisory Committee, the City sent out request for qualifications in December 2015 to several firms within the Metroplex for a study to be conducted regarding storm water issues within the Farmers Branch Creek watershed. Mr. Walhood further explained Staff received seven responses, of which four were interviewed. After thorough review Staff and the Storm Water Advisory Committee members agreed to recommend Freese and Nichols to conduct the study on the Farmers Branch Creek watershed issues. Mr. Walhood explained that an Engineering Services Agreement has been negotiated with Freese and Nichols for a Farmers Branch Creek watershed study in the amount of \$343,268.00. The study of the creek is scheduled for completion within 365 calendar days and will be funded by the Storm Water Utility Fee revenue, which has a balance of approximately \$900,000.

Council Member Reyes asked if the study includes all creeks. Mr. Walhood explained Cooks Creek, Rawhide Creek and Farmers Branch Creek were included, noting funding has been approved for these projects.

Council Member Lynne asked about costs for dredging. Mr. Walhood explained approximately \$550,000 is the cost for dredging.

After discussion, motion made by Mayor Pro Tem Froehlich to approve Resolution 2016-056, as presented. Motion seconded by Council Member Lynne. Motion approved by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

- I.3** ORD-3376 Consider adopting Ordinance No. 3376, approving an amendment to the TIF Zone No. 2 project and Financing Plan; and take appropriate action.

Managing Director John Land briefed City Council regarding this item. Mr. Land noted the TIF Board met on Thursday, May 26, 2016, and approved Resolution No. 2016-057-T2, to amend the Plan to add the City Restaurant Park Project to authorize the necessary public infrastructure, approving the Project and Financing Plan. The Project Plan for TIF Zone No. 2, includes the Restaurant Park Project. Mr. Land explained Public infrastructure, including but not limited to streets, alleys, sidewalks, parking, lighting, public plaza and fountain and other project costs authorized by Tax Code, Chapter 311, are

necessary for the Restaurant Park Area. Mr. Land explained that the City intends to improve and widen the existing Bee Street between Valley View and Pepperwood as a two lane divided street with street (angle) parking on both sides of each lane of traffic. He noted a developer intends to develop a retail center along Bee Street in two (2) phases consisting of one or more free standing buildings containing approximately 35,000 square feet of retail space in the aggregate for occupancy by restaurants and other retailers.

Mayor Pro Tem Froehlich asked how funds accumulate over the first five years. Mr. Land explained \$550,000 in TIF funds are currently available.

Council Member Lynne asked about this type of use in relation to the West Side Development Plan. Mr. Land explained this use is complimentary to the West Side Development noting the market study supports this type of development.

Deputy Mayor Pro Tem Reyes stated great project, asking about the time frame. Mr. Land replied his estimate date would be June 2017, noting it will develop in phases.

After discussion, Council Member Norwood made a motion to approve Ordinance No. 3376, as presented. Motion seconded by Council Member Bomgardner. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

K. RECONVENE AND TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION.

Motion made by Council Member Norwood to authorize the City Manager to negotiate and sign contracts and such other documents that are reasonable and necessary to sell to the Farmers Branch Local Government Corporation for the purpose of resale of the property described as Lot 6, Block F, Farmersdell Addition, City of Farmers Branch, Texas, more commonly known as 2712 Mount View with the resale of said property to be subject to a restriction agreement requiring construction of a single family residence of not less than a minimum agreed amount of square feet of air conditioned space with an assessed value of the property upon completion of construction, inclusive of both land and improvements, to be not less than an agreed minimum value. Motion seconded by Mayor Pro Tem Froehlich. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

L. ADJOURNMENT

Council Member Bomgardner made a motion to adjourn the meeting at 6:55 p.m. Motion seconded by Council Member Lynne. Motion prevailed by the following vote:

Aye: 5 - Mayor Pro Tem Froehlich, Deputy Mayor Pro Tem Reyes, Council Member Norwood, Council Member Bomgardner, Council Member Lynne

The meeting adjourned at 7:31 p.m.



Mayor *pro Tem*

ATTEST:



City Secretary