



City of Farmers Branch

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

Meeting Minutes

City Council

Tuesday, June 21, 2016

6:00 PM

Council Chambers

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

- Presiding** 1 - Mayor Pro Tem Harold Froehlich
- Present:** 4 - Council Member John Norwood, Council Member Terry Lynne, Deputy Mayor Pro Tem Ana Reyes, Council Member Mike Bomgardner
- Absent:** 1 - Mayor Bob Phelps
- 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, Deputy Police Chief David Hale, LaJeana Thomas Executive Assistant Administration, 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, Rachael Johnson Assistant to City 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 Pro Tem Froehlich called the meeting to order at 3:00 p.m.

A.1 16-161 Discuss regular City Council meeting agenda items.

Council Member Norwood asked regarding Agenda Item H.1, if the applicant has withdrawn his application permanently, or temporarily. Community Services Director

Andy Gillies explained he anticipates the applicant will come back in the next couple of months, noting he is still working out details. Deputy Mayor Pro Tem Reyes asked regarding Agenda Item G. 3, (appointing Faye Moses Wilkins to DART Board of Directors), if Ms. Wilkins will attend the meeting and provide an update. Mr. Cox explained Ms. Wilkins is unable to attend tonight, however; August would be the soonest she could attend. City Council advised City Administration to table the item to the August City Council meeting, when she is able to attend and provide an update. Mayor Pro Tem Froehlich noted under Ceremonial Items, City Council will be appointing members to fill vacancies noting the city received approximately 133 applicants to serve on various board and commissions and that a slate list will be proposed tonight for action. Deputy Mayor Pro Tem Reyes advised City Administration to amend the resolution to increase the Sustainability Committee from 9 members to 10 members at the next City Council meeting.

A.2 16-166 **Receive a presentation from PYRO Brand Development on City marketing and branding key findings and discuss future direction.**

Assistant to City Manager Rachael Johnson introduced John Bedard with PYRO Brand Development regarding the City marketing and branding. Mr. Bedard reviewed the mission, process, brand audit report, brand audit focus, stakeholder interviews, strengths, weaknesses, opportunities, threats, and secondary research (Generational Comparisons) including target age groups. Mr. Bedard further reviewed a resident survey, brand strategy, noting the characteristics of a strong brand promise. Mr. Bedard explained the brand vision, positioning, and target audience. He further reviewed the role of personality, traits, drivers, and brand affiliation (Ego Promise).

Mr. Bedard reviewed the City of Farmers Branch Brand Promise:

Brand Vision – *Our highest calling*

Brand Positioning – *Our rational promise*

Brand Personality – *Our emotional promise*

Brand Affiliation – *Our ego promise*

The City of Farmers Branch Brand Promise is:

Brand Vision – *Nurturing a connected community.*

Brand Positioning – *To people who want to be surrounded by nature in the heart of the city, Farmers Branch is the way of life that inspires a sense of community in a variety of engaging settings.*

Brand Personality – *Vibrant and Creative.*

Brand Affiliation – *Family friendly, passionate and community focused.*

Council Member Bomgardner asked about the demographic targets. Mr. Bedard replied the demographic target range is the 25-44 year old age group.

Council discussed the steps, survey responses, age group response, and asked if metrics have been determined, that will measure success.

Mr. Bedard noted currently the team is reviewing how metrics will be utilized to measure success. He further stated he will follow up with the results, once obtained.

Council Member Norwood asked if the branding would be utilized within the city's website. Mr. Bedard confirmed, the plan is to coordinate this campaign with the city's website, noting website review is scheduled to begin October 1, 2016.

A.3 16-169 **Review and discuss Code Enforcement Issues.**

Community Services Director Andy Gillies noted the City had a retreat and noted Code Enforcement is now utilizing door hangers as notifications, adding more specifics to violation notices and will work with software vendors to integrate photographs. Mr. Gillies stated he will move forward with repeat offenders on a more aggressive approach. He further stated Code Enforcement after hour presence would increase during after-hours and weekends.

Resident Gail Airoidi spoke regarding her citation, stating she never received a notice of violation. She asked that the City consider using door hangers and certified mail notices. Ms. Airoidi explained the City has an older population, and asked City Council to provide more compassion to elderly residents in regards to fines. She further stated the City needs to provide information to those that need assistance.

Council Member Lynne provided a Beautify the Branch PowerPoint presentation. Mr. Lynne explained the program would have code review, education, and communication. He further stated the City could have a citizen review committee that reviews and update codes, objectives, goals, priorities and measures success. He further stated the City could have a Code Ambassador Program similar to the Citizens on Patrol. Mr. Lynne asked that language on forms be updated to provide specific needs on violations. Mr. Lynne asked that a proactive approach to include knocking on doors to provide better customer service and to consider educating the public through a Town Hall meeting. He asked that the City consider education booths at special events, website information, water bill inserts, and provide available resources for those in need of assistance with their property.

Mayor Pro Tem Froehlich asked that City Administration provide an update regarding Code Enforcement. Mr. Gillies asked for Council's consensus regarding Code Enforcement noting steps are being taken to make it better. Council Member Bomgardner explained the program isn't broken and disagrees with the creation of a committee. He further explained the City needs clear communication to fix these issues and feels the steps Mr. Gillies mentioned will lead us in the right direction.

Deputy Mayor Pro Tem Reyes thanked Code Enforcement for their assistance, agreeing with Council Member Bomgardner that we should increase communication and education noting she wants to review the number of notices prior to citations being issued. Mr. Cox explained the correction notice process, noting some of these cases can take up to 60 days to reach court. He explained high grass (vegetation) can quickly get out of control, noting one correction notice a year helps alleviate these types of issues.

City Attorney Pete Smith explained common sense is the best approach. He noted the

City abides by State Law. He noted the City must treat everyone equal and cannot treat rental properties differently.

Deputy Mayor Pro Tem Reyes asked if the correction notice is bold enough and explains no other notices will be provided for this violation throughout the year. Mr. Pender explained language can be added to the correction notice. The City Attorney explained the Municipal Court can send out a direct notice regarding fees owed, however; costs would be incurred with this option.

Council Member Bomgardner asked if vegetation fines could be reviewed by the City Council. The City attorney explained the Ordinance sets the maximum fine and the Judge sets the window fines. The City Attorney explained you can compare window fines on various code violations to make sure you are not over charging.

Council agreed to review the Municipal Court window fines at a future City Council meeting.

City Manager Cox agreed to provide an update at the July 12, 2016, City Council meeting.

City Council recessed at 4:50 p.m., for a break and reconvened at 4:55 p.m.

A.4 16-163 Receive an Update from Citizen Bond Committee Chairperson Michelle Holmes.

Assistant to City Manager Shawna Eikenberry introduced Bond Committee Chair Michelle Holmes. Ms. Holmes noted the Citizen Bond Committee was established by the Mayor and City Council in February 2016 and consists of 17 appointees. Ms. Holmes explained committees have met weekly and created six (6) subcommittees that meet twice per month in addition to our monthly Bond Committee meeting. These Subcommittees include Arts & Culture, Communications, Economic Development Commercial, Economic Development Residential, Parks and Recreation, and Public Safety. Initially, there were at least 40 projects for consideration. Many of those items were determined to be program related vs. bond proposals/projects. Ms. Holmes noted the Committee was able to reduce the number of projects to 15, and will reduce again to 3-5 projects by August, 2016. Ms. Holmes announced two listening meetings are scheduled July 19, 2016 at 2 p.m. at Farmers Branch Senior Center, and July 19, 2016, at 7 p.m. at the Farmers Branch Recreation Center. She further stated more information is available online by visiting farmersbranchtx.gov/bond.

Mayor Pro Tem Froehlich thanked Ms. Holmes for her dedication and work with the Bond Committee.

A.5 16-159 Discuss City Council FY '17 Budget Priorities.

City Manager Charles Cox confirmed with the City Council that the following are FY 2017 budget priorities: funding for trails, economic development and comp study. City Council agreed these are the main budget priorities.

Mayor Pro Tem Froehlich asked staff to consider reducing the tax rate by half cent or $\frac{3}{4}$ of a cent. Council Member Bomgardner replied that we need to look at the economy noting this could become an issue in the future with a setback that might cause us to raise taxes. Council Member Bomgardner advised City Administration to change language to infrastructure development and redevelopment. He further stated, he would like a minimum of 10% of the increase be kept and put aside for future funding for redevelopment when we need it.

Council Member Lynne asked if the EDC funds could be used for demo rebuild projects. Mr. Cox replied, stating EDC funds can be used to attract businesses or can be used for a demo rebuild project.

Council Member Norwood asked when the tax rate is set. Mr. Cox replied the tax roll is certified July 25th, and the tax rate and budget are adopted at the second meeting in August.

City Council advised City Administration to provide a tax rate graph showing history of the past few years.

A.6 16-157 **Discuss City Council liaison appointments.**

City Manager Charles Cox reviewed the 2016-17 City Council Liaison Chart noting the following:

TML Liaison – Mayor Phelps and Council Member Lynne
Metrocrest Social Services – Council Member Bomgardner
Senior Advisory Board – Council Member Lynne
Sister City Program – Council Member Norwood
Metroplex Mayors Committee – Mayor Pro Tem Froehlich
Municipal Judge Committee – Council Member Lynne
Travel Expense Review Committee – Council Member Lynne
Metrocrest Hospital Authority – Council Member Lynne
Metrocrest Medical Foundation – Council Member Reyes
Metrocrest Community Clinic – Mayor Pro Tem Froehlich

A.7 16-167 **Discuss City Council meeting dates for Calendar Year 2016-17.**

Council discussed City Council dates for January 2017. After discussion, City Council advised staff to revise the meeting dates to January 10, 2017 and January 24, 2017.

A.8 16-162 **Discuss agenda items for future City Council meetings.**

Mayor Pro Tem Froehlich asked for a Code Enforcement update at the July 12, 2016, City Council meeting. Council Member Norwood asked for an update regarding Oakbrook. Council Member Norwood asked for Comp Study dates. Human Resource

Director Brian Beasley stated the results will be provided at the August City Council meeting. Mayor Pro Tem Froehlich asked for an update regarding street lighting coloring. Public Works Director Randy Walhood explained Oncor provides street lights and noted they are using more energy efficient bulbs. He further stated they are on a replacement system.

Mayor Pro Tem Froehlich skipped to Executive Session Agenda Item, J.1 and convened into closed executive session at 5:38 p.m.

J.1 16-171

City Council may convene into executive session pursuant to Texas Government Code Section 551.072 to deliberate regarding:

- Discuss the purchase, exchange, lease, or sale of real property located north of 635, south of Valwood, east of I35 and west of Webb Chapel.

Council may convene into a closed executive session pursuant to Section 551.071 of the Texas Government Code to deliberate regarding:

- Discuss contemplated and pending litigation and/or administrative proceedings relating to Ana Henriquez verses Farmers Branch, Texas, a municipality, Officer Ken D. Johnson, in his individual and official capacity Civil Action No. 3-16CVO868-M United States District Court for the Northern District of Texas; and
- Discuss contemplated and pending litigation and/or administrative proceedings relating to Eva Arevalo v. City of Farmers Branch, Texas, Civil Action No. 3:16-cv-01540-D United States District Court for the Northern District of Texas.

Mayor Pro Tem Froehlich recessed from Executive Session at 5:59 p.m. and called the Regular Meeting to order at 6:03 p.m.

B. INVOCATION & PLEDGE OF ALLEGIANCE

Council Member Norwood provided the Invocation and Council Member Lynne led the Pledge of Allegiance.

C. CEREMONIAL ITEMS

- C.1** 16-165 Consider annual Board and Commission appointments; and take appropriate action.

Motion made by Council Member Bomgardner to appoint the following slate list of Board and Commission members below.

Animal Adoption Committee:

Terry Ford, DVM
Roxann Lovseth
Louise Henning

Community Watch:

Jeremiah Ellis
Mary Jo Francis
Bruce Gregory
Debbie Lehman
Lyndia Mills
Ray Mills
Al Owens

Family Advisory:

Ann Christman
Dawn Ramos
Lauren Rangel (*Youth*)
Elizabeth Seastrom (*Youth*)

Historical Preservation & Restoration Board:

Scott Ames
Ann Christman
Clare Connally
Marjorie Cutler
Carol Dingman
Connie Hardy

Library Board:

Ginny Welch
Andy Olivo
Linda Curry
Jennifer Allen
Bonnie Potraza
Abby Rojas

Parks and Recreation:

Adriane Young
Robert Dye
Nic Rady
Ernest Tiller
Sarah Langhorst
Robert Stewart
**Margaret Young – Park Board Emeritus Position*

Planning and Zoning Board:

Chris Brewer
David Moore
Cory Plunk

Senior Advisory Board:

James Rice
Martha Talavera
Harry Currie, Jr.
Beth Ferrell
Jonette Henderson
Dale Shaffer
Sharon Aston - *Alt*
David Crozier - *Alt*

Sustainability Committee:

Craig Belanger
Jonas Greene
David Griggs
Micah Harleaux
Robert ter Kuile (Chair)
Charles Lawless
Patricia Link
Margie Marshall
Jeffrey Prutz

Zoning Board of Adjustment & Building Code Board of Appeal:

Mike Del Valle
Glenn Douglass
Jonathan Smith
David Griggs – *Alt*

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 Bomgardner provided a report on Study Session items.

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

City Manager Charles Cox provided the City Manager's report and announced the following items of community interest:

The cities of Farmers Branch, Carrollton, Coppell and Addison were the recipients of the North Central Texas Council of Government's William J. Pitstick Regional Excellence Award for the many examples of regional cooperation, exemplified by the NTECC project.

The Tastes & Tunes summer food truck concert series has proved more popular than ever with last week's big kickoff event. The food truck concert series returns to The Grove next week on Thursday, June 30 with the Mowtown sounds of "All Funk Radio Show." A variety

of food trucks will be on hand during the event from 6 until 9 p.m. that evening. Admission is free. The series concludes July 21 with the Texas sounds of "Lone Star Attitude." 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.

The Farmers Branch Independence Day Celebration is coming up 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 fan 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.

Please note that most Farmers Branch offices and facilities will be closed on Monday, July 4th for the Independence Day holiday, however; the garbage and recycling schedule will run on the normal schedule. Facility exceptions include the Community Recreation Center and Margaret Young Natatorium, both open from 6 a.m. until 5 p.m.; the Historical Park, open from 8 a.m. to 5 p.m. and the Frog Pond, open from 12 noon until 6 p.m.

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

There was no one that wished to speak under citizen comments.

G. CONSENT ITEMS

- G.1** 16-160 Consider approving minutes of the regular City Council meeting held on June 7, 2016, and Special Called meeting held on June 10, 2016; and take appropriate action.
- G.2** 16-170 Consider excusing the absence of Mayor Bob Phelps from the June 10, 2016, Special Called City Council meeting; and take appropriate action.
- G.3** R2016-055 Consider approving Resolution No. 2016-055, re-appointing Faye Moses Wilkins to the DART Board of Directors; and take appropriate action.
This item was tabled.

Motion made by Council Member Reyes to approve Consent Items G.1, G.2, and tabled Item G.3. 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 HEARING

- H.1 ORD-3377** Conduct a public hearing and consider adopting Ordinance No. 3377 amending Planned Development District 90 (PD-90) for Tract 3 and adopting a Conceptual Site Plan for the property located at 4141 Blue Lake Circle and 4020, 4040, and 4100 McEwen Drive; and take appropriate action. *(The Applicant has withdrawn the application, no action will be taken on this item.)*

No discussion or action was taken on this item.

I. REGULAR AGENDA ITEMS

- I.1 16-172** Receive an update regarding Interstate 35 construction project.

Public Works Director Randy Walhood introduced Kimberly Sims Public Information Manager for I35 Express. Ms. Sims provided a power point presentation and overview of the I35 project.

Council Member Lynne asked if the online communication has been successful with public outreach and if a team speaks at events. Ms. Sims replied they have a team that attends events as requested, and noted online communication and social media has been a huge success for their outreach program.

Deputy Mayor Pro Tem Reyes asked if the funding was for 1.4 million. Ms. Sims states \$4.8 is the total funding necessary for the project. She further explained, these funds were not available, therefore; the project was broken into two phases. Phase I consists of a \$1.4 million dollar project and Phase 2 consists of a \$3.4 million dollar project.

Deputy Mayor Pro Tem Reyes noted there are several overgrown median areas along I35 Highway. Ms. Sims replied she will follow up with her Maintenance Manager to review the areas of concern.

Mayor Pro Tem Froehlich asked if citizens can link to TXDOT directly from the City's website. Mr. Walhood explained the City has an online link for residents to obtain updates.

City Council recessed into closed Executive Session, Agenda Item J.1 at 6:42 p.m.

J. EXECUTIVE SESSION

- J.1 16-171** City Council may convene into executive session pursuant to Texas Government Code Section 551.072 to deliberate regarding:

- Discuss the purchase, exchange, lease, or sale of real property located north of 635, south of Valwood, east of I35 and west of Webb Chapel.

Council may convene into a closed executive session pursuant to Section 551.071 of the Texas Government Code to deliberate regarding:

- Discuss contemplated and pending litigation and/or administrative proceedings relating to Ana Henriquez verses Farmers Branch, Texas, A municipality, Officer Ken D. Johnson, in his individual and official capacity Civil Action No. 3-16CVO868-M United States District Court for the Northern District of Texas; and
- Discuss contemplated and pending litigation and/or administrative proceedings relating to Eva Arevalo v. City of Farmers Branch, Texas, Civil Action No. 3:16-cv-01540-D United States District Court for the Northern District of Texas.

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

Motion made by Council Member Bomgardner to authorize the City Manager take such action on behalf of the City as may be reasonable and necessary to purchase, or authorize the purchase of Lot 5, Block C of Farmersdell an Addition to the City of Farmers Branch, Dallas County, Texas also known as 12934 Harrisburg Circle, for a purchase price not to exceed \$105,000.00 plus standard closing and acquisition costs and to sign, and authorize the City's agent to sign such other agreements, documents, and any amendments thereto, as the City Manager, in consultation with the City Attorney, deems reasonable and necessary with respect to the closing of said transaction. Motion seconded by Council Member Norwood. 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

Motion by Council Member Lynne that the City Manager be authorized to take such action on behalf of the City as may be reasonable and necessary to purchase, or authorize the purchase of Lot 9, Block B of Farmersdell, an Addition to the City of Farmers Branch, Dallas County, Texas also known as 12904 Holbrook Drive, for a purchase price not to exceed \$115,000.00 plus standard closing and acquisition costs and to sign, or authorize the City's agent to sign, such other agreements, documents, and any amendments thereto, as the City Manager, in consultation with the City Attorney, deems reasonable and necessary with respect to the closing of said transaction. Motion seconded by Deputy Mayor Pro Tem Reyes. 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

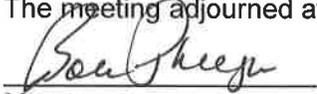
Mayor Pro Tem Froehlich reconvened into regular session at 8:26 p.m.

L. **ADJOURNMENT**

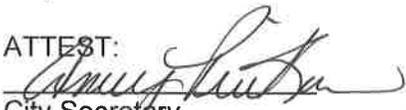
Council Member Bomgardner made a motion to adjourn the meeting at 8:28 p.m. Motion seconded by Deputy Mayor ProTem Reyes. Motion prevailed by the following vote:

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

The meeting adjourned at 8:27 p.m.



Mayor

ATTEST:


City Secretary