City of Farmers Branch

Meeting Minutes

City Council

Tuesday, January 21, 2020 6:00 PM Council Chambers

Study Session Meeting to be held at 3:00 p.m. in the Study Session Room with a Dinner Break at 5:15 p.m.

Presiding: 1 - Mayor Robert Dye

Present: 5 - Mayor Pro Tem John Norwood, Council Member Bronson Blackson, Council Member Mike Bomgardner, Deputy Mayor Pro Tem Terry Lynne and Council Member Cristal Retana

Staff: 18 - City Manager Charles Cox, Deputy City Manager John Land, Assistant City Manager Benjamin Williamson, City Secretary Amy Piukana, City Attorney Peter G. Smith, Police Chief David Hale, Fire Chief Steve Parker, Director of Human Resources Brian Beasley, Director of Public Works Marc Bentley, Director of Sustainability & Health Shane Davis, Director of Planning & Zoning AICP Tina M. Firgens, Director of Economic Development Allison Cook, Director of Library Denise Wallace, Building Official Hugh Pender, Director of Information Services Mark Samuels, Director of Communications Tom Bryson and Director of Fleet & Facilities Kevin Muenchow

A. CALL TO ORDER - STUDY SESSION (3 P.M.)

Mayor Dye called the meeting to order at 3 p.m.

A.1 20-29 Discuss regular City Council meeting agenda items

Council Member Bomgardner asked for clarification on Agenda Item G.8, in regards to monies being spent on vehicle accessories. Director of Fleet and Facility Services Kevin Muenchow explained this is necessary in order to add lights, armor to doors, equipment and inside modifications.

Council Member Bomgardner asked for clarification on Agenda Item I.2, Stumps. Mayor Dye suggested holding off on tree stump discussion until the meeting convenes downstairs.

Council Member Bomgardner asked for clarification on Agenda Item I.3, the Connector Project for Alpha Road in regards to the detention pond. City Manager Charles Cox replied noting the subcommittee met with Addison and Brookhaven College and negotiations are ongoing.

Council Member Bomgardner asked about the cost associated with building a detention pond. Mayor Dye explained he has spoken with Addison and Brookhaven, and efficiencies would be utilized by the City with design and excavation.

Council Member Retana asked for clarification on Agenda Item I.3, the Connector Project for Alpha Road, if the Council should authorize the City Manager to negotiate or if the contract needs to be reviewed again by the Council.
Mr. Cox explained he feels comfortable handling the negotiation, and could bring back the contract if City Council prefers.

Council Member Retana asked for clarification on Agenda Item I.2 Stumps, if the City can assist with tree stump removal.

Mr. Cox explained it's difficult for City crews to do maintenance on private property.

Council Member Lynne asked for clarification on Agenda Item G.4, Disaster Debris Monitoring.

Mr. Cox explained this contract provides set fees for disaster assistance if one were to occur.

A.2 20-22

Receive an update from the Planning and Zoning Commission

Planning and Zoning Chairman David Moore briefed City Council regarding this item. Mr. Moore reviewed the purpose of the Commission, Commissioners, Accomplishments from 2019, and future items.

Council Member Bomgardner suggested pervious pavers be added to a policy and included with driveways.

Council Member Lynne suggested the Economic Development Team assist with relocating businesses within the City.

Mayor Dye suggested creating a subcommittee to work with TXDOT to ensure all components are tied together with the corridor and the vision study.

A.3 20-23

Discuss and provide direction regarding draft amendments to the Comprehensive Zoning Ordinance related to creation of an Entertainment Overlay District and allowing certain land uses and related standards within the district.

Director Tina Firgens briefed City Council regarding this item. Ms. Firgens reviewed the purpose of the CZO Amendment, the Planning and Zoning Commission Deliberation, Proposed Boundary and Land Use of the Entertainment Overlay District, New Definitions, Parking Requirements, Regulations to Address Nuisance Impacts, and the next steps.

Mayor Dye recommended amending the north boundary to Spring Valley Road and noted he supports smoking establishments go through the SUP process.

Council Member Blackson stated he prefers a focused boundary area from Midway to Inwood and Spring Valley to Alpha Road.

Mayor Pro Tem Norwood explained he does not intend to change the existing smoking ordinance. He recommended identifying target areas for these types of businesses, and suggested removing the yellow overlay lines and identify by street names.

Council Member Retana suggested including walkability, noting she supports the overlay and making the area smaller.

A.4 20-31

Discuss Campaign Finance Reform

Council Member Bomgardner briefed City Council regarding this item.

Council Member Bomgardner explained this could impact PACs more, since they would be able to receive funding. He stated it appears we are dealing with a problem that in his opinion, doesn't exist and could open us up to legal action.
Deputy Mayor Pro Tem Lynne stated he does not feel we have a problem. He stated in this could encourage under the table dealings and non-reporting. He feels this could be a first amendment issue and asked if other cities have policies like this.

Council Member Blackson stated he supports allowing residents to choose.

Mayor states he supports allowing residents to speak by voting and suggested this be a future charter amendment. He further stated this would be best reviewed by the future Charter Review Committee.

Council Member Lynne suggested having a Town Hall and allowing the Charter Review Committee to research prior to going to voters.

Mayor Pro Tem Norwood stated he supports limiting contributions but noted this is difficult to manage. He agreed that the future Charter Review Committee could conduct some research. He does not support this as a ballot item at this time.

Council Member Retana stated she supports transparency and allowing residents to decide, noting education is key.

A.5 20-40

Discuss the policy framework for establishing a Youth Council

Assistant City Manager Ben Williamson briefed City Council regarding the creation of a Youth Council. He reviewed the structure (6 students), organization, eligibility requirements, application process, and meeting structure. Mr. Williamson explained tonight, the Council has the opportunity to approve the Resolution.

Council Member Retana thanked City Staff for assisting and noted she has spoken with CFBISD Officials and they agreed to support the program.

Council Member Bomgardner stated he supports this item and suggested adding alternates.

Deputy Mayor Pro Tem Lynne explained he prefers to see a Youth Learning Academy instead of a Youth Council to allow more students to participate.

Mayor Dye stated he supports moving forward with 6 students and to consider this as a pilot program.

Mayor Pro Tem Norwood explained staff needs to ensure students understand this is a time commitment, and students will need transportation and parental support. He suggested tasking the Youth Council with finding ways on how to better communicate with youth in our schools and how to make an impact.

A.6 20-37

Receive an update from the Census Committee (Complete Count)

Mayor Dye explained he serves as Chairman of the Census Ad Hoc Committee and provided an update. He explained the Census Committee is currently conducting outreach to include mobile kiosks. He further stated outreach efforts are engaged which includes multi family, churches and attending community events.

Council Member Retana explained she works on the state task force and would like the City to help communicate Census information noting April 1, 2020 is the citywide target activation date. She further stated nonprofits should be included with the outreach.
A.7 20-30  Discuss agenda items for future City Council meetings

Mayor Dye asked that a Mayor's Task Force (subcommittee) be created which includes City Staff, and Committee Members to meet and provide feedback on the I35 corridor.

Mayor Pro Tem Norwood requested a homeless update, trail update, Mandatory Crime Prevention update, and a future item on engineering report requirements on foundations for residential properties.

Council Member Bomgardner requested a short-term rental registration update.

Council Member Lynne requested to do a presentation at the next Council meeting on the sweep done last week on LBJ Express and the Environmental Housing Department. He requested a discussion on painting of curb ends with reflective paint and sustainability mulching at Camelot Landfill.

Mr. Cox noted some of these topics will be addressed at the City Council Strategic Planning Retreat.

Council Member Retana suggested looking into best practices provided by the Task Force and Homeless Solutions when they provide an update.

Mayor Dye recessed from Study Session at 5:38 p.m.

B. CALL TO ORDER - REGULAR MEETING (6 P.M.)

Mayor Dye called the meeting to order at 6:01 p.m.

C. INVOCATION & PLEDGE OF ALLEGIANCE

Council Member Bomgardner provided the invocation and led the Pledge of Allegiance and Pledge to the Texas flag.

D. REPORT ON STUDY SESSION ITEMS

Council Member Bomgardner provided an update on Study Sessions items.

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

City Manager Charles Cox provided an update on items of Community Interest.

Council Member Lynne thanked the Fire Department for assisting him excellent service in his time of need.

F. CITIZEN COMMENTS

Chamber of Commerce President Grace Speece provided the City Council with an update on Chamber happenings. She provided an internal update noting she has an IT Sponsor who is assisting with laptops and system upgrades. She invited Council to attend next Wednesday the EMS Active Shooter and Stop the Bleed Training at Manske Library. She also invited them to attend the Cyber Security Luncheon upcoming February 10th.

Ms. Susan Sokat spoke regarding her concerns with the City of Farmers Branch current procedures in handling bags and yard clippings, noting these items are often sent to the landfills and she would like the Council to create a green initiative.
G. CONSENT AGENDA

G.1 20-45 Consider approving the following City Council meeting minute(s); and take appropriate action
January 7, 2020

G.2 20-28 Consider excusing the absence of Council Member Mike Bomgardner from the January 7, 2020, City Council meeting; and take appropriate action

G.3 R2020-12 Consider approving Resolution No. 2020-12 authorizing a change order in the amount of $27,428 to PGAL Architects for the value engineering re-design work for the new Fire Station No. 2 construction project; and take appropriate action

G.4 R2020-01 Consider approving Resolution No. 2020-01 authorizing the City Manager to execute agreements for disaster debris monitoring services with DebrisTech, LLC. as the primary vendor and True North Emergency Management as the secondary vendor, for Disaster Debris Monitoring and Consulting Services; and take appropriate action

G.5 R2020-13 Consider approving Resolution No. 2020-13 establishing a Youth Council; and take appropriate action

G.6 ORD-3625 Consider adopting Ordinance No. 3625 amending the City's Code of Ordinances, Chapter 86, Utilities, Article VII, Municipal Drainage Utility System, Division 3, Stormwater Drainage Requirements, Section 86-606 Drainage to add regulations related to Lot-To-Lot and Site Drainage; and take appropriate action

G.7 R2020-16 Consider approving Resolution No. 2020-16 amending Resolution 2019-173 authorizing the purchase of one replacement vehicle to correctly identify the vendor from whom the purchase is being made; providing an effective date, and take appropriate action.

G.8 R2020-15 Consider approving Resolution No. 2020-15 authorizing the City Manager to approve the purchase of six patrol vehicles for the Police Department in the total amount of $196,094 from Reliable Chevrolet through the Sheriffs' Association of Texas Contract; and take appropriate action.

G.9 20-60 Consider Board and Commission appointments (Census Ad Hoc Committee); and take appropriate action

Motion made by Council Member Blackson to approve Consent Items G.1 through G.9. Motion seconded by Council Member Retana. Motion approved unanimously.
H. PUBLIC HEARINGS

H.1 ORD-3626 Conduct a public hearing and consider adopting Ordinance No. 3626 for a request to amend the Comprehensive Zoning Ordinance including amending: Article 3.3. Measurement and Exceptions as it relates to front-entry garages; and take appropriate action

Director of Development Tina Firgens briefed City Council regarding this item. Ms. Firgens explained this is a city-initiated zoning amendment to the Comprehensive Zoning Ordinance (CZO) as it relates to measurement and exception standards, specifically regarding front entry garages in residential zoning districts.

Mayor Dye opened the public hearing. There were no citizens present that wished to speak.

Council Member Blackson made a motion to close the Public Hearing and approve Ordinance No. 3626, as presented. Motion seconded by Council Member Bomgardner. Motion approved unanimously.

I. REGULAR AGENDA ITEMS

I.1 R2020-04 Consider approving Resolution No. 2020-04 adopting the Comprehensive Annual Financial Report for the fiscal year ending September 30, 2019 as submitted by Grant Thornton, LLP; and take appropriate action

Director of Finance Sherrelle Evans Jones briefed City Council regarding this item. Ms. Evans Jones explained the City's fee is included with the auditor's fee for any specialist needed.

After discussion, Mayor Pro Tem Norwood moved to approve Resolution No. 2020-04. Motion seconded by Council Member Lynne. Motion prevailed unanimously.

I.2 ORD-3624 Consider adopting Ordinance No. 3624 amending Chapter 56, Section 81E(f)(3) of the Farmers Branch Code of Ordinances by removing the language requiring grinding of tree stumps in the front yard; and take appropriate action

Community Services Director Hugh Pender briefed City Council regarding this item. He noted tonight he has provided City Council with several options.

Council Member Lynne provided a presentation on tree stumps, code enforcement concerns from residents, emails received and survey responses from a recent study he conducted.

City Council discussed the date the ordinance was passed and what policies surrounding cities have regarding stumps.
Mr. Pender explained the original Ordinance was passed in 1991, and stated a dead tree shall be removed. He explained the Ordinance passed in August 2019 was cleanup of the language "dead tree" and added language requiring stump grinding language.

Council Member Blackson asked the City Manager to provide a 12-month history on City Park tree stumps that have been grinded.

Mr. Cox replied stating the City parks have been recently cleaned which included some stump grinding.

The following citizens spoke regarding this item:

Christy Dimon spoke in favor of keeping the ordinance as is, stating in her opinion, stump grinding is affordable and enhances the community. She further stated falling limbs could be a safety concern.

Dr. Joyce Benoit spoke with concerns about the ordinance references "grade level", which isn't considered flush with the ground and asked Council to consider revising this language. She noted impacts would be costly with the proposed Planning and Zoning Commission tree preservation ordinance.

Mayor Pro Tem Norwood stated he was opposed to this ordinance due to fees being imposed on residents especially senior citizens. He suggested creating a program to assist residents with fees.

Mayor Dye does not support retroactive code enforcement of the ordinance.

Council Member Retana expressed concerns with costs to residents and stated she would support the ordinance if a program was created to assist with funding.

Council Member Blackson stated he is opposed to the ordinance.

Mayor Dye suggested tabling this item to allow City Staff time to research and help create a program to assist with cost issues.

Mayor Dye made a motion to table this item until Feb 21, 2020 City Council meeting. Motion seconded by Council Member Lynne. Motion approved unanimously.

I.3 R2020-17 Consider approving Resolution No. 2020-17 authorizing the City Manager to negotiate and sign an Interlocal Cooperation Agreement for Alpha Road Connector Project with the Town of Addison and the Dallas County Community College District; and take appropriate action

Mr. Cox briefed City Council regarding this item. He explained the proposed resolution authorizes the City Manager to negotiate and execute an agreement with Dallas County Community College District and the Town of Addison to construct a public road through DCCCD's Brookhaven College campus that will connect the Vitruvian development, located in Addison, to Alpha Road, which is also located within the City. In an effort to improve drainage, a drainage easement and detention pond is being considered on the undeveloped portion of the campus.

Mayor Dye made a motion to approve Resolution No. 2020-17. Motion seconded by Mayor Pro Tem Norwood. Mayor Dye called for a roll call vote:

Ayes: Deputy Mayor Pro Tem Member Lynne, Council Member Retana, Mayor Pro Tem Norwood, Council Member Bomgardner

Nay: Council Member Blackson

Motion passed 4-1, Council Member Blackson was opposed.
J. ADJOURNMENT

The meeting adjourned at 7:40 p.m.

Signed by: [Signature]
Mayor Robert C. Dye

Attested by: [Signature]
City Secretary Amy M. Piukana