



City of Coppell, Texas

255 E. Parkway Boulevard
Coppell, Texas
75019-9478

Minutes City Council

Tuesday, September 12, 2023

6:00 PM

Council Chambers

WES MAYS
Mayor

JOHN JUN
Mayor Pro Tem

JIM WALKER
Place 1

KEVIN NEVELS
Place 4

BRIANNA HINOJOSA-SMITH
Place 2

BIJU MATHEW
Place 6

DON CARROLL
Place 3

MARK HILL
Place 7

MIKE LAND
City Manager

Present 7 - Wes Mays; Jim Walker; Don Carroll; Kevin Nevels; John Jun; Biju Mathew and Mark Hill

Absent 1 - Brianna Hinojosa-Smith

Also present were Deputy City Managers Traci Leach and Kent Collins, City Attorney Bob Hager, and City Secretary Ashley Owens.

The City Council of the City of Coppell met in Regular Session on Tuesday, September 12, 2023, at 6:00 p.m. in the City Council Chambers of Town Center, 255 Parkway Boulevard, Coppell, Texas.

1. Call to Order

Mayor Wes Mays called the meeting to order, determined that a quorum was present and convened into the Executive Session at 6:00 p.m.

2. Executive Session (Closed to the Public) 1st Floor Conference Room

Section 551.072, Texas Government Code - Deliberation regarding the purchase, exchange, lease, or value of Real Property.

Discussion regarding property located north of Southwestern Boulevard and west of Freeport Parkway.

Discussed under Executive Session

- 3. **Work Session (Open to the Public) 1st Floor Conference Room**
Citizen comments will not be heard during the Work Session, but will be heard during the Regular Session under Citizens' Appearance.

Mayor Wes Mays adjourned the Executive Session at 6:48 p.m. and convened into the Work Session at 6:50 p.m.

- A. Discussion regarding agenda items.
- B. Presentation of FY24 Work Plan.

Presented in Work Session

Regular Session

Mayor Wes Mays adjourned the Work Session at 7:16 p.m. and convened into the Regular Session at 7:30 p.m.

- 4. **Invocation 7:30 p.m.**

Youth Minister Bunker Harris, with the Church of Latter-Day Saints, gave the Invocation.

- 5. **Pledge of Allegiance**

Mayor Wes Mays led the audience in the Pledge of Allegiance.

Proclamations

- 6. Presentation of a Proclamation celebrating the month of September as "Senior Center Month."

Mayor Wes Mays read the Proclamation into the record and presented the same to Calie Willis and members of the Coppell Senior Center.

- 7. **Citizens' Appearance**

Mayor Wes Mays asked for those who signed up to speak:

- 1) Thomas Burrows, 138 Wynnpage, spoke in regards to the Police Department.

- 8. **Consent Agenda**

- A. Consider approval of the minutes: August 22, 2023, and August 29, 2023.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Don Carroll, that Consent Agenda Items A through N be approved. The motion passed by an unanimous vote.

- B. Consider approval of awarding a bid to Entrust One Services for Custodial Services at the Coppell Arts Center, not to exceed budgeted

annual expenses of \$75,000, as budgeted; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Don Carroll, that Consent Agenda Items A through N be approved. The motion passed by an unanimous vote.

- C.** Consider approval of awarding a bid to Andy Frain Services for Security Services at the Coppell Arts Center, in an amount not to exceed \$85,000.00, as budgeted; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Don Carroll, that Consent Agenda Items A through N be approved. The motion passed by an unanimous vote.

- D.** Consider approval of a professional services agreement with Dunaway, in the amount of \$159,500.00, as provided for in the general fund, to prepare a comprehensive Community Experiences Department Master Plan; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Don Carroll, that Consent Agenda Items A through N be approved. The motion passed by an unanimous vote.

- E.** Consider approval of funding the replacement of the outdoor waterslide tower at The CORE, in the amount of \$219,000.00.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Don Carroll, that Consent Agenda Items A through N be approved. The motion passed by an unanimous vote.

- F.** Consider approval of funding the design services for the Veterans Memorial project in the amount of \$186,761.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Don Carroll, that Consent Agenda Items A through N be approved. The motion passed by an unanimous vote.

- G.** Consider approval of an Interlocal Agreement renewal between the City of Coppell and SPAN, Inc., for the provision of transit services for older persons, persons with disabilities, veterans, and the general public; as provided for by the CARES Act funding as dispensed through SPAN, Inc., authorizing the Mayor to sign and the City Manager to execute any necessary documents.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Don Carroll, that Consent Agenda Items A through N be approved. The motion passed by an unanimous vote.

- H.** Consider approval of an agreement between the City of Coppell and the Coppell Chamber of Commerce for the 2023-2024 Discover Coppell

Marketing Campaign utilizing hotel occupancy tax proceeds as provided by the Hotel Occupancy Tax Special Revenue Fund; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Don Carroll, that Consent Agenda Items A through N be approved. The motion passed by an unanimous vote.

- I. Consider approval of the Fourth Amended and Restated Interlocal Cooperation Agreement by and between the City of Coppell and Denton County Transportation Authority to provide transportation services for Coppell businesses; and authorizing the Mayor to sign.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Don Carroll, that Consent Agenda Items A through N be approved. The motion passed by an unanimous vote.

- J. Consider approval to enter into a Developers Agreement between the City of Coppell and Victory Retail Coppell, LLC.; for the reimbursement of design, construction, and installation of infrastructure improvements with the S. Belt Line project; and authorizing the City Manager to sign necessary agreements.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Don Carroll, that Consent Agenda Items A through N be approved. The motion passed by an unanimous vote.

- K. Consider approval of TIPS contract award to C&J's Designs and Solutions of East Texas, LLC; for the construction of a sidewalk along Canyon Drive; in the amount of \$166,705.00; as provided for in the Infrastructure Maintenance Fund's Fund Balance; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Don Carroll, that Consent Agenda Items A through N be approved. The motion passed by an unanimous vote.

- L. Consider approval of awarding Bid #Q-0723-01 to Reliable Paving, Inc.; for the re-construction of Woodhurst Drive; in the amount of \$4,843,494.15; as provided for in the 2020 Bond issue; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Don Carroll, that Consent Agenda Items A through N be approved. The motion passed by an unanimous vote.

- M. Consider approval to enter into a Small Government Enterprise Agreement (SGEA) with Environmental Systems Research Institute (ESRI); for Geographical Information Systems (GIS) Software Licensing and maintenance; in the amount of \$100,200.00 over a three-year period; as budgeted in the General Fund; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Don Carroll, that Consent Agenda Items A through N be approved. The motion passed by an unanimous vote.

- N.** Consider approval of a Resolution of the City Council of the City of Coppell, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the Company’s 2023 rate review mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the settlement; approving an attachment establishing a benchmark for pensions and retiree medical benefits; finding the rates to be set by the tariffs to be just and reasonable and in the public interest; requiring the Company to reimburse ACSC’s reasonable ratemaking expenses; determining that this Resolution was passed in accordance with the requirements of the Texas Open Meetings Act; and authorizing the Mayor to sign.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Don Carroll, that Consent Agenda Items A through N be approved. The motion passed by an unanimous vote.

Enactment No: RE 2023-0912.1

End of Consent Agenda

- 9.** PUBLIC HEARING:
Consider approval of a zoning change request from PD-264-RBN5 (Planned Development-264-Residential Urban Neighborhood 5) to PD-264R-RBN5 (Planned Development-264 Revised-Residential Urban Neighborhood 5) to allow the removal of five (5) Leyland Cypress Trees on 7.1 acres of property located on Common Area Lot 1X, Block D, Easthaven (Eastlake) at the request of Easthaven HOA, being represented by affected property owner, Kristina Lowe.

Development Services Administrator Matt Steer gave a presentation to City Council.

The applicant, Kristina Lowe 635 Canemount Lane, Coppell, Texas 75019, was present to answer any questions of City Council.

Mayor Wes Mays opened the Public Hearing and asked for those who signed up to speak:

1) Chella Muthurathinam, 452 Rock Springs Road, spoke in favor of the zoning change request.

A motion was made by Councilmember Don Carroll, seconded by Councilmember Kevin Nevels, to close the Public Hearing and approve the agenda item and tree removal without mitigation fees.

- 10.** PUBLIC HEARING:

Consider approval of a zoning change request from PD-308-C (Planned Development-308-Commercial) to PD-308R-C (Planned Development-308 Revised-Commercial), to allow a revised plan for a new fuel service station with five (5) fuel pumps located at 950 E. Sandy Lake Road.

Development Services Administrator Matt Steer gave a presentation to City Council.

The applicant, ClayMoore Engineering, 1903 Central Dr., Suite 406, Bedford, Texas 76021, and Coppell Wood Kroger, LLC, 1404 W Pioneer Dr., Irving, Texas 75061, was present to answer any questions of City Council.

Mayor Wes Mays opened the Public Hearing and asked for those who signed up to speak:

1) Bobby Finken, 1032 Basilwood, spoke in favor of the proposed development.

A motion was made by Councilmember Mark Hill, seconded by Councilmember Biju Mathew, to close the Public Hearing and approve the agenda item, with conditions #11 and 12 removed, and with remaining conditions as presented.

An amended motion was made by Councilmember Jim Walker to amend condition #10 to include proper shielding on west wall packs over the pharmacy and to terminate their use any time the pharmacy is not in operation, and to lower the two pole lights on the northeast side of the store to 30ft compliant height and to ensure that there is proper shielding over the westside wall packs. The motion failed due to a lack of a second.

Councilmember Biju Mathew withdrew his second for the main motion. Councilmember Mark Hill restated his motion, seconded by Councilmember Biju Mathew to close the Public Hearing and approve the agenda item, with conditions #11 and 12 removed, and amending condition #13 to entry and exit from Sandy Lake by the fuel trucks with circulation around the perimeter of the site, or the fuel truck operator may make a route variation to exit onto MacArthur from 8 PM to 6 AM, and with the following conditions:

1. That accept as amended herein, the property and PD 308-C shall be developed in accordance with Ordinance 91500-A-373 and Ordinance 91500-A-109 with the previous development regulations, which are hereby incorporated herein as set forth in full and hereby republished.
2. The hours of operation for the drive through pharmacy window shall not exceed: 9 a.m. to 9 p.m. - Monday through Friday, 9 a.m. to 7 p.m. -Saturday, and 10 a.m. to 6 p.m. on Sunday.
3. The exterior lights on the north and west perimeter of the property may be illuminated and maintained in accordance with the glare and lighting standards of the Zoning Ordinance.
4. In addition to the original regulations, as amended, no outside storage of materials or goods will be permitted under the fuel station canopy.
5. An additional 40 square-foot monument sign for fuel pricing shall be constructed and maintained as shown on the Site Plan and Signage Plans.
6. The entire site shall have 300 parking spaces, inclusive of Americans with Disabilities regulations as provided on the Site Plan.

7. The hours of operation of the fuel bays shall be 6 a.m. to 12 a.m. daily.
8. Exterior canopy lighting shall emit no greater than 50.5 fc as provided in Exhibit G; and, shall be dimmed to minimum average of 1 fc between the hours of 12 a.m. and 6 a.m.
9. The proposed trees as provided in the Landscape Plan shall be planted and kept in a healthy growing state to mitigate any aperture in screening, regardless of the current state of the tree configuration.
10. Address light screening towards the residential areas and landscaping deficiencies.

The motion carried by the following vote (5-1):

Aye: Mayor Pro Tem John Jun, Councilmember Don Carroll, Councilmember Kevin Nevels, Councilmember Biju Mathew, Councilmember Mark Hill

Nay: Councilmember Jim Walker

11.

PUBLIC HEARING:

Consider approval of PD-210R2-SF-9, 416 Kaye Street (STR), a zoning change request from PD-210-SF-9 (Planned Development-210 - Single-Family-9) to PD-210R2-HC (Planned Development-210 Revision 2- Single-Family 9) to approve a Short-Term Rental (STR) on 0.22 acres of property located at 416 Kaye Street, at the request of Lorna Bell, the property owner.

Senior Planner Mary Paron-Boswell gave a presentation to City Council.

The applicant, Lorna Bell, 416 Kaye Street, was present to answer any questions of City Council.

Mayor Wes Mays opened the Public Hearing and stated that no one signed up to speak.

A motion was made by Councilmember Kevin Nevels, seconded by Mayor Pro Tem John Jun, to close the Public Hearing and approve the agenda item with the following conditions and to waive the Planned Development Fee of \$525.00:

1. PD Conditions:

- a. To obtain an STR permit prior to their current one expiring.
- b. Notify staff of any change of property ownership.

Mayor Pro Tem John Jun withdrew his second.

A restated motion was made by Councilmember Kevin Nevels, seconded by Mayor Pro Tem John Jun, to close the Public Hearing and approve the agenda item with the following conditions:

1. PD Conditions:

- a. To obtain an STR permit prior to their current one expiring.
- b. Notify staff of any change of property ownership.

The motion carried by the following vote (5-1):

Aye: Mayor Pro Tem John Jun, Councilmember Don Carroll, Councilmember Kevin Nevels, Councilmember Biju Mathew, Councilmember Mark Hill

Nay: Councilmember Jim Walker

12.

PUBLIC HEARING:

Consider approval of PD-311-LI, AstraZeneca Tank Farm, being a portion of Lot 3R1, Block 8, Parkwest Commerce Center, a zoning change request from LI to PD-311-LI (Planned Development-311-Light Industrial) to allow the construction of a 19,893 square foot accessory tank farm structure and approximate 3,000 square foot building addition to the existing office/warehouse building on approximately 8 acres, being a portion of Lot 3R1, Block 8 located at 508 Wrangler Drive, at the request of ML Realty on behalf of AstraZeneca, being represented by Allen Hager, DPR Construction.

Senior Planner Mary Paron-Boswell gave a presentation to City Council.

The applicant, AstraZeneca, 508 Wrangler Dr., Coppell, TX 75019, was present to answer any questions of City Council.

Mayor Wes Mays opened the Public Hearing and stated that no one signed up to speak.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Mark Hill, to close the Public Hearing and approve the agenda item with the following conditions:

- 1. There may be additional comments during detailed engineering plan review.**
- 2. Revise the Landscape Plan prior to City Council**
- 3. PD Conditions:**
 - a. To allow for a parking variance and allow 200 parking spaces as shown on the Site Plan.**

The motion passed by an unanimous vote.

13.

PUBLIC HEARING:

Consider approval of PD-309-SF-12 & C, Forest Creek, Lots 1 & 2, Block A, a zoning change request from C (Commercial) to PD-309-SF-12 & C (Planned Development-309-Single Family-12 & Commercial), to allow the development of a residence and professional office building on two lots totaling 2.05 acres of property located on the west side of S. Denton Tap Road approximately 450 feet north of W Bethel Road, at the request of Jose Fernando Teruya, FTA Design Studio, Inc.

Senior Planner Mary Paron-Boswell gave a presentation to City Council.

The applicant, Jose Fernando Teruya, 1056 Village Parkway Coppell, TX 75019, was present to answer any questions of City Council.

Mayor Wes Mays opened the Public Hearing and asked for those who signed up to speak:

- 1) Cindy Bishop, 521 Wales Court, spoke in opposition to the proposed development.
- 2) Eric Royal, 517 Wales Court, spoke in opposition to the proposed development.
- 3) Ana Rodriguez, 204 Olympia Lane, spoke in support of the proposed development.
- 4) Randy Faulkner, Waxahachie, spoke in support of the proposed development.

A motion was made by Councilmember Mark Hill, seconded by Councilmember Don Carroll, to close the Public Hearing and approve the agenda item with the following conditions:

1. There may be additional comments during detailed engineering plan review.
2. Tree mitigation fees shall be paid at time of tree removal permit.
3. The plat cannot be filed prior to zoning being approved.
4. Park fees are required for the residential lot.
5. PD Conditions:
 - a. To allow for no alley for the residential portion.
 - b. To allow a front yard of 25-ft in lieu of 30-ft for Lot 1, Block A.
 - c. To waive the screening wall requirement between Lot 1 and Lot 2.
 - d. To allow the existing trees to act as a living screen between Lot 2 and the adjacent residential lots.
 - e. To allow a screening wall in the front yard as shown on the site plan.
 - f. To allow for a minimum lot depth of 57.93-ft on the north side of Lot 1.
 - g. To allow for a privacy and noise barrier wall within the sewer easement via a license agreement.
 - h. To allow for residential driveway access on S. Denton Tap Rd.
 - i. The applicant is responsible for any median modification costs for installing the left turn lane.
 - j. The office building will be required to be sprinklered.
 - k. To provide a tree conservation easement on the residential lot to conserve the trees that fall outside of the developable area, providing for exceptions for diseased trees and fallen trees.

The motion passed by an unanimous vote.

14. City Manager Reports, Project Updates, Future Agendas, and Direction from Work Session

City Manager Mike Land gave the following project updates:

S. Belt Line Road – The contractor continues working on medians and traffic signals. The final phase from Hackberry to 635 has started removing paving and it will take 4-6 months to complete.

Village Parkway Pump Station Generator – The permanent generator was delivered and installed on Friday, August 18th. They are performing the required testing and it is expected to be operational in early October.

DART - MacArthur track work – They will be closing Macarthur 9/15-9/18 to

install the tracks. The MacArthur intersection is scheduled to be fully opened on 9/25. The next intersection will be Fairway Dr.

Moore Road Boardwalk – This project is nearly complete. Staff is in the process of final inspections with the contractor. The Boardwalk is still currently closed. An invitation for an October ribbon-cutting ceremony will be coming soon.

The Duck Pond Park Improvements – Construction continues to progress on schedule. The project is a little over 50% complete. As a reminder, this park will be closed for public access during the duration of the project.

15. Mayor and Council Reports on Recent and Upcoming Events.

Participate in local government and give back to the community by serving on one of the City of Coppel’s boards or commissions. The City is seeking passionate individuals to be a part of nine boards and commissions that help guide development, future needs, regulations, and more for Coppel. Learn more and apply at coppelltx.gov/boards.

16. Public Service Announcements concerning items of community interest with no Council action or deliberation permitted.

Councilmember Kevin Nevels reminded the public of the upcoming Coppel Chamber of Commerce Golf Classic on September 28th. The event will be held at Grapevine Golf Course and will begin at 8 a.m.

17. Necessary Action from Executive Session

There was no action resulting from Executive Session.

18. Adjournment

There being no further business before the City Council, the meeting was adjourned at 10:45 p.m.

Wes Mays, Mayor

ATTEST:

Ashley Owens, City Secretary