



City of Coppell, Texas

255 Parkway Boulevard
Coppell, Texas 75019-9478

Minutes City Council

Tuesday, August 13, 2013

6:00 PM

Council Chambers

KAREN HUNT
Mayor

BILLY FAUGHT
Mayor Pro Tem

TIM BRANCHEAU
Place 1

BOB MAHALIK
Place 2

WES MAYS
Place 3

GARY RODEN
Place 4

MARVIN FRANKLIN
Place 6

AARON DUNCAN
Place 7

CLAY PHILLIPS
City Manager

Also present were City Manager Clay Phillips, City Secretary Christel Pettinos and City Attorney Robert Hager.

The City Council of the City of Coppell met in Regular Called Session on Tuesday, August 13, 2013, at 6:00 p.m. in the City Council Chambers of Town Center, 255 Parkway Boulevard, Coppell, Texas.

1. Call to Order

Mayor Hunt called the meeting to order, determined that a quorum was present and convened into Executive Session at 6:13 p.m.

Councilmembers Bob Mahalik and Aaron Duncan arrived during Executive Session.

Present 8 - Karen Hunt; Billy Faught; Tim Brancheau; Bob Mahalik; Wes Mays; Gary Roden; Marvin Franklin and Aaron Duncan

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

Section 551.087, Texas Government Code - Economic Development Negotiations.

A. Discussion regarding Economic Development prospects north of I.H. 635E and west of Belt Line Road.

Discussed under Executive Session

- B. Discussion regarding Economic Development prospects south of Wrangler Drive and west of Crestside Drive.

Discussed under Executive Session

Section 551.071, Texas Government Code - Consultation with City Attorney.

- C. Discussion regarding Eminent Domain proceedings to acquire real property along Freeport Parkway.

Discussed under Executive Session

3. Work Session (Open to the Public) 1st Floor Conference Room

Mayor Hunt adjourned the Executive Session at 6:43 p.m. and convened into the Work Session.

- A. Discussion regarding Citizens on Patrol.
- B. Presentation regarding Employee Health Clinic.
- C. Discussion regarding Recreation Cost Recovery Philosophy.
- D. Discussion of Agenda Items.

Presented in Work Session

Regular Session

Mayor Hunt adjourned the Work Session at 7:35 p.m. and opened the Regular Session.

4. Invocation 7:30 p.m.

Pastor Wayne McDonald with Metrocrest Community Church gave the Invocation.

5. Pledge of Allegiance

Mayor Hunt led those present in the Pledge of Allegiance.

6. Consider approval of a proclamation naming August 21, 2013 as "National Senior Citizen's Day," and authorizing the Mayor to sign.

Mayor Hunt read the proclamation for the record and presented the same to Tom Morton, Pat and Frank Chavet, Tom Gardner and several members of the Grapevine Springs Senior Community Center. A motion was made by Mayor Pro Tem Billy Faught, seconded by Councilmember Tim Brancheau, that this Agenda Item be approved. The motion passed by an unanimous vote.

Aye: 7 - Mayor Pro Tem Billy Faught; Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Councilmember Marvin Franklin and Councilmember Aaron Duncan

7. Citizens' Appearance

Mayor Hunt advised that no one signed up to speak.

8. Consent Agenda**A.** Consider approval of the minutes: July 23, 2013.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Aaron Duncan, to approve Agenda Items A, C, E-H on the Consent Agenda. Consent Agenda Items B and D were pulled and considered separately. The motion passed by an unanimous vote.

B. Consider approval of a Resolution of the City Council of the City of Coppell, Texas, supporting congressional action on Marketplace Fairness Act; and authorizing the Mayor to sign.

Mayor Hunt pulled Consent Agenda Item B off to be considered separately. City Manager Clay Phillips briefly explained the basis behind this Agenda Item.

A motion was made by Councilmember Gary Roden, seconded by Councilmember Wes Mays, to approve this Agenda Item upon striking Where As paragraphs 8 and 9. The motion passed 6-1 with Councilmember Tim Brancheau voting against the motion.

Aye: 6 - Mayor Pro Tem Billy Faught; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Councilmember Marvin Franklin and Councilmember Aaron Duncan

Nay: 1 - Councilmember Tim Brancheau

Enactment No: 2013-0813.1

C. Consider approval of an Ordinance amending the Code of Ordinances of the City of Coppell by amending Chapter 6, "Business Regulations", Article 6-9 deleting Sections 6-9-2(D), 6-9-2(E) and 6-9-2(F) and Sections 6-9-4 and 6-9-5 to conform to the Texas Transportation Code Section 643.201 that regulates Licensing and Registration of Tow Trucks; and authorizing the Mayor to sign.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Aaron Duncan, to approve Agenda Items A, C, E-H on the Consent Agenda. Consent Agenda Items B and D were pulled and considered separately. The motion passed by an unanimous vote.

Enactment No: 2013-1350

D. Consider approval of a Resolution authorizing the city attorney to file eminent domain proceedings to acquire 0.138 +/- acres of real property for the expansion of public roadway and right of way along Freeport Parkway; and authorizing the Mayor to sign and execute the necessary documents.

Mayor Hunt pulled Consent Agenda Item D off to be considered separately. Mike Garza, Civil Engineer, made a brief presentation to further explain this Agenda Item.

A motion was made by Councilmember Tim Brancheau, seconded by Mayor Pro Tem Billy Faught, that this Agenda Item be approved. The motion passed by an unanimous vote.

Aye: 7 - Mayor Pro Tem Billy Faught; Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Councilmember Marvin Franklin and Councilmember Aaron Duncan

Enactment No: 2013-0813.2

- E.** Consider approval of the certification of the 2013 anticipated collection rate for the period July 1, 2013 through June 30, 2014 and the amount of excess debt collections during the period of July 1, 2012 through June 30, 2013.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Aaron Duncan, to approve Agenda Items A, C, E-H on the Consent Agenda. Consent Agenda Items B and D were pulled and considered separately. The motion passed by an unanimous vote.

- F.** Consider a Resolution approving the Second Amendment to the Declaration of Covenants, Conditions, and Restrictions for Main Street Coppell relating to their application to the property to be located in Old Town (Main Street) Phase II and authorizing the Mayor and City Manager to sign all related documents.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Aaron Duncan, to approve Agenda Items A, C, E-H on the Consent Agenda. Consent Agenda Items B and D were pulled and considered separately. The motion passed by an unanimous vote.

Enactment No: 2013-0813.3

- G.** Consider approval of an amendment to review the exclusive redlight enforcement system between the City of Coppell and Redflex Traffic Systems for the Photo Red Light Enforcement Program; and authorizing the City Manager to sign.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Aaron Duncan, to approve Agenda Items A, C, E-H on the Consent Agenda. Consent Agenda Items B and D were pulled and considered separately. The motion passed by an unanimous vote.

- H.** Consider approval of an Ordinance of the City of Coppell, Texas, amending Ordinance No. 2013-1349, ordering a Special Election to be held on November 5, 2013, by adding provisions for Coppell residents residing in Denton County; providing an effective date; and authorizing the Mayor to sign.

Considerar la aprobación para un Mandato del Ayuntamiento de la Ciudad de Coppell, Texas reformando el Mandato No. 2013-1349 en el cual se ordena una elección especial a convocarse el 5 de Noviembre del 2013 agregándosele cláusulas aplicables a los habitantes de Coppell en el condado de Denton, contemplándose una fecha en vigor; y uso autorizándose al Alcalde para firmarlo.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Aaron Duncan, to approve Agenda Items A, C, E-H on the Consent Agenda. Consent Agenda Items B and D were pulled and considered separately. The motion passed by an unanimous vote.

Enactment No: 2013-1351

End of Consent Agenda

9.

PUBLIC HEARING:

Consider approval of the Northlake Woodlands Estates East, PH I, Lot 10R, Block 2, Replat, being a replat of Lot 10, Block 2, to reduce the required 30-foot front building setback line to 22.5 feet, to allow the construction of a 147-square-foot porch at 616 Villawood Lane.

Presentation: Marcie Diamond, Assistant Director of Planning, made a presentation to Council.

Mayor Hunt opened the Public Hearing and advised that no one signed up to speak.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Bob Mahalik, to close the Public Hearing and approve this Agenda Item. The motion passed by an unanimous vote.

Aye: 7 - Mayor Pro Tem Billy Faught; Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Councilmember Marvin Franklin and Councilmember Aaron Duncan

10.

PUBLIC HEARING:

Consider approval of the Northlake 635 Business Park, Lot 1, Block E and Lot 1R2R, Block D, Replat, being a replat of Lot 1R1 and 1R2, Block D, to establish necessary easements and fire lanes to allow the development of two office buildings on 8.4 acres (Lot 1, Block E) and to incorporate approximately 1.3 acres of property into Lot 1R2R, Block D (24.4 acres), for a total of 32.83 acres of property located at the northwest corner of South Belt Line Road and Lakeshore Drive.

Presentation: Marcie Diamond, Assistant Director of Planning, made a presentation to Council.

Mayor Hunt opened the Public Hearing and advised that no one signed up to speak.

Sarah Beth White, representing the applicant, answered questions of Council.

A motion was made by Councilmember Gary Roden, seconded by Councilmember Bob Mahalik, to close the Public Hearing and approve this Agenda Item subject to the following conditions:

- 1) Additional comments may be generated upon detailed engineering plan review; and
- 2) A tree removal permit is required prior to the start of construction.

The motion passed by an unanimous vote.

Aye: 7 - Mayor Pro Tem Billy Faught; Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Councilmember Marvin Franklin and Councilmember Aaron Duncan

11.

CONTINUED PUBLIC HEARING:

Consider approval of Case No. PD-199R8-HC, Vista Point II, Lot 6R, Block A, - Children's Learning Adventure, a zoning change request from PD-199-HC (Planned Development-199-Highway Commercial), to PD-199R8-HC (Planned Development-199-Revision 8-Highway Commercial), to attach a Detail Site Plan on 2.6 acres to allow the development of a Day Care Center to be located at 811 N. MacArthur Boulevard.

Presentation: Marcie Diamond, Assistant Director of Planning, made a presentation to Council to consider Agenda Items 11 and 12 together.

Mayor Hunt opened the Public Hearing and advised that no one signed up to speak.

A motion was made by Mayor Pro Tem Billy Faught, seconded by Councilmember Marvin Franklin, to close the Public Hearing and approve this Agenda Item subject to the following conditions:

- 1) There may be additional comments after detail engineering review;
- 2) Tree removal permit shall be required prior to the removal of any trees;
- 3) Prior to issuance of Building Permit, the owner/applicant shall place sufficient funds in escrow for one-fourth the cost of the proposed traffic signal to be located at MacArthur Blvd. and Lake Vista Drive. The issuance of a Certificate of Occupancy may be issued prior to the installation of the traffic signal; and
- 4) The Children's Learning Adventure buses shall utilize SH 121 instead of cutting thru the Vistas of Coppell neighborhood to access Denton Creek Elementary and Middle School North.

The motion passed by an unanimous vote.

Aye: 7 - Mayor Pro Tem Billy Faught; Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Councilmember Marvin Franklin and Councilmember Aaron Duncan

12.

PUBLIC HEARING:

Consider approval of the Vista Point II, Lot 6R, Block A, Replat, being a replat of Lots 6 and 7, Block A, into one lot and to establish

easements, fire lanes and setbacks to allow the development of a Day Care Center on 2.6 acres of property located at 811 N. MacArthur Boulevard.

Presentation: Marcie Diamond, Assistant Director of Planning, made a presentation to Council to consider Agenda Items 11 and 12 together.

Mayor Hunt opened the Public Hearing and advised that no one signed up to speak.

A motion was made by Mayor Pro Tem Billy Faught, seconded by Councilmember Marvin Franklin, to close the Public Hearing and approve this Agenda Item subject to additional conditions upon Engineering Review. The motion passed by an unanimous vote.

Aye: 7 - Mayor Pro Tem Billy Faught; Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Councilmember Marvin Franklin and Councilmember Aaron Duncan

- 13.** Consider approval of awarding Job Order Contract to Core Construction in the amount of \$349,337.02 for Phase II second floor renovation of 265 Parkway; and authorizing the City Manager to sign all necessary documents.

Presentation: Ken Griffin, Director of Engineering, made a presentation to Council.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Tim Brancheau, that this Agenda Item be approved. The motion passed by an unanimous vote.

Aye: 7 - Mayor Pro Tem Billy Faught; Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Councilmember Marvin Franklin and Councilmember Aaron Duncan

- 14.** Consider approval of a Health Services Agreement between the City of Coppell and Marathon Health, Inc. for operation of a joint Employee Health Clinic in the amount of \$216,250.00 and authorizing the City Manager to sign all necessary documents.

Presentation: Vivyon Bowman, Director of Human Resources, made a presentation to Council.

A motion was made by Councilmember Wes Mays, seconded by Councilmember Gary Roden, that this Agenda Item be approved. The motion passed by an unanimous vote.

Aye: 7 - Mayor Pro Tem Billy Faught; Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Councilmember Marvin Franklin and Councilmember Aaron Duncan

- 15.** Consider approval of an agreement between The City of Coppell and Redflex Traffic Systems related to enforcement of unpaid violation notices ("Automated Scofflaw Program"). The proposed agreement

has an initial term of five (5) years in addition to two (2) optional five-year extensions; and authorizing the City Manager to sign.

Presentation: Captain Jim Cook made a presentation to Council.

A motion was made by Councilmember Tim Brancheau, seconded by Mayor Pro Tem Billy Faught, that this Agenda Item be approved. The motion passed by an unanimous vote.

Aye: 7 - Mayor Pro Tem Billy Faught; Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Councilmember Marvin Franklin and Councilmember Aaron Duncan

16. City Manager Reports

Project Updates and Future Agendas.

Read and Filed

City Manager Clay Phillips spoke about the Sandy Lake Road Improvements. He said the project is still months away from completion, so he encourages all residents to seek an alternate route. He also mentioned Mockingbird Lane is going very well. It looks to be completed before school ends.

Regarding future agendas, Mr. Phillips reminded Council that the Public Hearing for the Municipal Budget will be on the August 27th agenda with the vote before Council on the September 10th agenda.

17. Mayor and Council Reports

Report on the Transportation and Infrastructure Summit in Irving.

Read and Filed

Councilmember Mays reported on the Transportation and Infrastructure Summit held in Irving. Mayor Hunt, Councilmembers Roden and Mays and George Marshall, Traffic Engineer, were all in attendance. The discussion at the Summit included: sessions on the capacities of the road ways, financing and water infrastructure.

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

Mayor Hunt announced that Grapevine's Grapefest Grape Stomp will be held on September 14 at 11am. Mayor Pro Tem Billy Faught and Councilmember Tim Brancheau will represent the City of Coppell in the grape stomping contest.

19. Necessary Action from Executive Session

Nothing to report.

Adjournment

There being no further business before the Council, the meeting was adjourned.

Karen Selbo Hunt, Mayor

ATTEST:

Christel Pettinos, City Secretary