City of Coppell, Texas

255 Parkway Boulevard
Coppell, Texas 75019-9478

Minutes
City Council

Tuesday, March 11, 2014 **5:30 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, March 11, 2014, at 5:30 p.m. in the City Council Chambers of Town Center, 255 Parkway Boulevard, Coppell, Texas.

1. Call to Order

Present 7 - Karen Hunt;Billy Faught;Tim Brancheau;Bob Mahalik;Wes Mays;Gary Roden and Aaron Duncan

Absent 1 - Marvin Franklin

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

Mayor Hunt called the meeting to order, determined that a quorum was present and convened into Executive Session at 5:42 p.m.

Section 551.087, Texas Government Code - Economic Development Negotiations.

A. Discussion regarding Economic Development prospects south of Dividend and east of Belt Line.

Discussed under Executive Session

B. Discussion regarding Economic Development prospects north of

Sandy Lake Road and west of S. Coppell Road.

Discussed under Executive Session

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

Mayor Hunt adjourned the Executive Session at 6:42 p.m. and convened into the Work Session at 6:49 p.m.

A. Small Business Assistance Presentation.
B. Update on Streetscape Improvements.
C. Update on the Half-Cent Sales Tax Capital Improvement Projects.
D. Discussion regarding Agenda Items.

Presented in Work Session

Regular Session

Mayor Hunt adjourned the Work Session and reconvened in the Regular Session at 7:30 p.m.

4. Invocation 7:30 p.m.

Mayor Pro Tem Billy Faught gave the Invocation.

5. Pledge of Allegiance

Mayor Hunt led those present in the Pledge of Allegiance.

6. Citizens' Appearance

Mayor Hunt asked for those who signed up to speak:

1) Stephen Curran, 601 Tower Ct., spoke regarding Agenda Item 8 and in opposition of mixed use projects.

2) David Bell, 913 Parker Dr., spoke regarding citizen input.

3) Daniel Ebner, 157 Meadowcreek, spoke in opposition of mixed use projects.

4) Elizabeth deMorales, 778 E. Main St., spoke in opposition of mixed use projects.

5) Manoj Bidnurkar, 413 Chelsea Bay, spoke in opposition of mixed use projects.

6) Rich Pilone, 801 Howell, spoke in opposition of mixed use projects.

7) Amit Sangani, 739 Chateaus, spoke in opposition of mixed use projects.

8) Greg Roemer, 2010 California Crossing, spoke regarding the solid waste contract set to expire in November 2014.

9) Thomas Burrows, 138 Wynnpage Dr., spoke in opposition of The Avenue.

10) Ray Walker, 347 Hearthstone, spoke about the need for a cohesive plan.

7. Consent Agenda

A. Consider approval of the minutes: February 25, 2014.

A motion was made by Councilmember Bob Mahalik, seconded by Councilmember Wes Mays, that Consent Agenda Items A-E be approved. The motion passed by an unanimous vote.

B. Consider approval of an Ordinance for Case No. PD-265-TH-1, Canterbury Court, a zoning change from LI (Light Industrial) to PD-265-TH-1 (Planned Development-265-Town House-1), to allow the development of 15 single-family lots and two (2) common area lots on three (3) acres of property located on the north side of East Belt Line Road approximately 1,700 feet west of Moore Road and authorizing the Mayor to sign.

A motion was made by Councilmember Bob Mahalik, seconded by Councilmember Wes Mays, that Consent Agenda Items A-E be approved. The motion passed by an unanimous vote.

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

Enactment No: 91500-A-640

C. Consider approval to award Bid No. 0214-01 for LED Parking Lot Lights for Town Center, 265, and Coppell Aquatic Recreation Center to Groves Electrical Services, Inc. in the amount of $212,797.00 as budgeted; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Bob Mahalik, seconded by Councilmember Wes Mays, that Consent Agenda Items A-E be approved. The motion passed by an unanimous vote.

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

D. Consider approval of Change Order Number One to FY 13/14 Annual Street & Alley Repair project in the amount of $75,000 with F & F Concrete, LLC; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Bob Mahalik, seconded by Councilmember Wes Mays, that Consent Agenda Items A-E be approved. The motion passed by an unanimous vote.

E. Consider approval of an Ordinance of the City of Coppell, Texas, abandoning a right of way easement, dedicated as Farmers Branch

Coppell Road; authorizing the Mayor to sign.

A motion was made by Councilmember Bob Mahalik, seconded by Councilmember Wes Mays, that Consent Agenda Items A-E be approved. The motion passed by an unanimous vote.

Enactment No: ORD 2014-1374

End of Consent Agenda

8. Consider approval of an Ordinance for Case No. PD-270-RBN, The Avenue at Denton Tap, a zoning change from C (Commercial) to PD-270-RBN (Planned Development-270-Residential Urban Neighborhood), to allow 29 multifamily units and 8,575 square feet of office/retail uses on 1.77 acres of property located at the northwest corner of Southwestern Boulevard and South Denton Tap Road and authorizing the Mayor to sign.

At this time, Councilmember Aaron Duncan recused himself upon filing an Affidavit of Conflict for Agenda Items 8-10.

Presentation: Gary Sieb, Director of Planning, made a presentation to Council.

A motion was made by Councilmember Gary Roden, seconded by Councilmember Wes Mays, to postpone this Agenda Item until the April 8th City Council Meeting. The motion passed by an unanimous vote.

Aye: 5 - Mayor Pro Tem Billy Faught;Councilmember Tim Brancheau;Councilmember Bob Mahalik;Councilmember Wes Mays and Councilmember Gary Roden

Excused: 1 - Councilmember Aaron Duncan

Enactment No: 91500-A-641

9. Consider approval of North Lake Estates, Lot 17R, (Cavalry Construction), Site Plan, site plan approval to allow the development of a one-story, 4,799-square-foot professional office (including 720 square feet of covered patio areas) with a detached garage on 0.77 acres of property located at the northeast corner of Howell Drive and Southwestern Boulevard.

Agenda Items 9 and 10 were considered together.

Presentation: Gary Sieb, Director of Planning, made a presentation to Council. Jim Dewey, 2500 Texas Drive, Ste. 100, Irving, represented the applicant.

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

1) Jackie Parrish, 805 Howell Dr., spoke against the access drive on Howell.

2) Rich Pilone, 801 Howell Dr., filed a petition for the record and spoke against the access drive on Howell.

3) Tasnem Jahangir, 817 Howell Dr., spoke against the property.

4) Linda Pilone, 801 Howell Dr., spoke against the access drive on Howell.

5) David Bell, 913 Parker Dr., spoke in support of the Howell neighbors and asked Council to consider upgrading the infrastructure on Howell.

A motion was made by Mayor Pro Tem Billy Faught, seconded by Councilmember Gary Roden, to close the Public Hearing for Agenda Item 10 and approve Agenda Items 9 and 10 subject to the following conditions:

Agenda Item 9:
1) Additional comments may be generated upon detailed engineering review;
2) The right-of-way being abandoned and purchased by the applicant; and
3) City Council approval of the proposed wrought iron fence with evergreen screening on the northeast corner of the site in lieu of the six-foot masonry wall.

Agenda Item 10:
1) Additional comments may be generated upon detailed engineering review; and
2) The recording information for the abandonment shall be written on the plat prior to recordation.

The motion passed by an unanimous vote.

Aye: 5 - Mayor Pro Tem Billy Faught;Councilmember Tim Brancheau;Councilmember Bob Mahalik;Councilmember Wes Mays and Councilmember Gary Roden

Excused: 1 - Councilmember Aaron Duncan

10. PUBLIC HEARING:
Consider approval of the North Lake Estates, Lot 17R, (Cavalry Construction), Replat, being a replat of Lots 17 & 18 of Northlake Estates to establish easements to allow an office building with a detached garage on 0.77 acres of property located at the northeast corner of Howell Drive and Southwestern Boulevard.

Agenda Items 9 and 10 were considered together. See Agenda Item 9 for the vote.

Aye: 5 - Mayor Pro Tem Billy Faught;Councilmember Tim Brancheau;Councilmember Bob Mahalik;Councilmember Wes Mays and Councilmember Gary Roden

Excused: 1 - Councilmember Aaron Duncan

11. PUBLIC HEARING:
Consider approval of the Red Hawk Addition, Lot 1R, Block A, Replat, being a replat of Lots 1 & 2, Block A, into one lot to allow the construction of one single-family home on 0.7 acres of property located at the northwest corner of Bethel School Road and Blackburn Drive (131 & 135 Blackburn Drive).

At this time, Councilmember Aaron Duncan returned to the dias.

Presentation: Gary Sieb, 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 Mayor Pro Tem Billy Faught, seconded by Councilmember Tim Brancheau, to close the Public Hearing and approve this Agenda Item. The motion passed by an unanimous vote.

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

12. PUBLIC HEARING:
Consider approval of the Blackberry Farm, Final Plat, a final plat to subdivide 54.8 acres of property to permit the development of 82 single-family lots and five (5) common area lots located on the north side of Sandy Lake Road, approximately 750 feet northeast of Starleaf Street.

Presentation: Gary Sieb, Director of Planning, made a presentation to Council.

Terry Holmes, 225 E. SH 121, Ste. 120, Coppell, representing the applicant, answered questions of Council.

Ken Griffin, Director of Engineering, answered questions of Council.

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

1) Marsha Honer, 1019 Forest Wood Ln., spoke about the concerns with the creek and the flood plain.

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

1) There will be additional Engineering comments during detailed review;
2) Submission of HOA Documents for City Attorney review;
3) The CLOMR and LOMR must be submitted and approved by FEMA; a CDC Permit must be obtained and a 404 Permit must be approved by the Army Corp of Engineers;
4) The wetlands determination will need to be provided;
5) A tree removal permit is required prior to start of construction and mitigation fees of $125,000 must be paid prior to construction; and
6) Park development fees are required in the amount of $1,285 per lot.

The motion passed by an unanimous vote.

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

13. Consider approval of Change Order Number One to the Sandy Lake Pavement Repair (Denton Tap to Kimbel Kourt) project (Tax 2011C) in the amount of $250,349.49 with Pavecon, Ltd.; and authorizing the City Manager to sign any necessary documents.

Presentation: Keith Marvin, Assistant Director of Public Works, 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: 6 - Mayor Pro Tem Billy Faught;Councilmember Tim Brancheau;Councilmember Bob Mahalik;Councilmember Wes Mays;Councilmember Gary Roden and Councilmember Aaron Duncan

14. Consider approval of Change Order Number One to the East Sandy Lake Water Line Replacement (Kimbel Kourt to Starleaf) project (WA 13-01) in the amount of $69,024.74 with Four Star Excavating Company; and authorizing the City Manager to sign any necessary documents.

Presentation: Keith Marvin, Assistant Director of Public Works, made a presentation to Council.

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

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

15. City Manager Reports

Project Updates and Future Agendas.

Nothing to report.

16. Mayor and Council Reports

A. Report by Mayor Hunt regarding the Metroplex Mayors' Meeting.

Mayor Hunt reported on the Metroplex Mayors' Meeting where the speaker from Baylor Scott & White spoke about the changes in the delivery system as a result of the changes to healthcare.

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

Nothing to report.

18. Necessary Action from Executive Session

Nothing to report.

Adjournment

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

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Karen Selbo Hunt, Mayor

ATTEST:

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Christel Pettinos, City Secretary