



City of Coppell, Texas

255 Parkway Boulevard
Coppell, Texas 75019-9478

Minutes City Council

Tuesday, May 22, 2012

5:30 PM

Council Chambers

DOUG STOVER
Mayor

MARSHA TUNNELL
Mayor Pro Tem

TIM BRANCHEAU
Place 1

BILLY FAUGHT
Place 5

BOB MAHALIK
Place 2

MARVIN FRANKLIN
Place 6

BRIANNA HINOJOSA-FLORES
Place 3

KAREN HUNT
Place 7

CLAY PHILLIPS
City Manager

Mayor Pro Tem Tunnell was absent from the meeting. 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, May 22, 2012, at 5:30 p.m. in the City Council Chambers of Town Center, 255 Parkway Boulevard, Coppell, Texas.

1. Call to Order

Mayor Stover called the meeting to order, determined that a quorum was present and convened into Work Session.

Mayor Stover recessed the Work Session at 6:12 p.m. to attend the Reception in the Atrium.

Present 9 - Douglas N. Stover; Tim Brancheau; Bob Mahalik; Brianna Hinojosa-Flores; Billy Faught; Marvin Franklin; Karen Hunt; Aaron Duncan and Gary Roden

Absent 1 - Marsha Tunnell

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

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

A. Consultation with the City Attorney in regards to Cause Number

05-10-00283-CV, styled Mira Mar Development Corporation v. City of Coppell, Texas.

Discussed under Executive Session

Section 551.072, Texas Government Code - Deliberation regarding Real Property.

B. Discussion regarding property acquisition concerning the property located at east of Denton Tap Road and north of Sandy Lake Road.

Discussed under Executive Session

C. Discussion regarding Economic Development prospects north of Bethel Road and east of South Coppell Road.

Discussed under Executive Session

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

A. Discussion regarding appointment of Mayor Pro Tem as required by Section 3.05 of the Home Rule Charter.

B. Discussion regarding board vacancies due to recent elections.

C. Presentation on the reconsideration of Terry Holmes' monument sign.

D. Discussion regarding appointment to the Regional Transportation Council for a two-year term.

E. Discussion regarding the City Council Retreat.

F. Discussion of Agenda Items.

Presented in Work Session

RECEPTION IN ATRIUM FROM 6:30 P.M. TO 7:30 P.M.

Regular Session (Open to the Public)

4. Invocation 7:30 p.m.

Steve Calvert, Coppell Fire Department Chaplain, led those present in the Invocation.

5. Pledge of Allegiance

Coppell Fire Department Honor Guard posted the colors and led those present in the Pledge of Allegiance.

6. Consider approval of accepting the resignation of Gary Roden from the Economic Development Committee.

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

Aye: 6 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Councilmember Billy Faught; Councilmember Marvin Franklin and Mayor Karen Hunt

7. Consider approval of accepting the resignation of Aaron Duncan from the Planning and Zoning Commission.

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

Aye: 6 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Councilmember Billy Faught; Councilmember Marvin Franklin and Mayor Karen Hunt

8. Canvass returns of the May 12, 2012 General and Special Municipal Elections, approval of an order declaring the results of said election; and authorizing the Mayor to sign.

City Attorney Robert Hager read the Canvass of Returns of the May 12, 2012 General and Special Elections into the record.

Mayor	Total
Karen Hunt	1,587
Marsha Tunnell	1,310

Place 2	Total
Bob Mahalik	2,138

Place 4	Total
Davin Bernstein	865
Gary Roden	1,763

Place 6	Total
Marvin Franklin	2,109

Special Place 3	Total
Greg Garcia	975
Wes Mays	1,062
Margaret Lucyk	174
Mahesh Guduru	416

Special Place 7	Total
Aaron Duncan	2,126

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

Aye: 6 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Councilmember Billy Faught; Councilmember Marvin Franklin and Mayor Karen Hunt

Enactment No: 2012-0522.1

9. Swearing in of Councilmembers Place 2, 4, 6, 7 & Mayor.

Judge Marian Moseley swore in Karen Hunt as Mayor, Bob Mahalik as Councilmember Place 2, Gary Roden as Councilmember Place 4, Marvin Franklin as Councilmember Place 6 and Aaron Duncan as Councilmember Place 7.

At this time, the makeup of Council is as follows:

**Karen Hunt, Mayor
Tim Brancheau, Place 1
Bob Mahalik, Place 2
Brianna Hinojosa-Flores, Place 3
Gary Roden, Place 4
Billy Faught, Place 5
Marvin Franklin, Place 6
Aaron Duncan, Place 7**

11. Consider approval of a proclamation honoring Cindy Warner for her years of service on the Coppell Independent School District Board of Trustees, and authorizing the Mayor to sign.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Brianna Hinojosa-Flores, that this Agenda Item be approved. The motion passed by an unanimous vote.

Aye: 7 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Councilmember Billy Faught; Councilmember Marvin Franklin; Aaron Duncan and Gary Roden

12. Consider approval of a proclamation honoring Bennett Ratliff for his years of service on the Coppell Independent School District Board of Trustees, and authorizing the Mayor to sign.

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

Aye: 7 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Councilmember Billy Faught; Councilmember Marvin Franklin; Aaron Duncan and Gary Roden

13. Report by Park and Recreation Board.

Greg Garcia, Chair, gave the board's semi-annual report.

14. Citizens' Appearance

Mayor Hunt asked for the following to speak:

- 1) Thomas Burrows, 138 Wynnpage Dr., spoke on the city's election.
- 2) Thomas Burrows, 138 Wynnpage Dr., spoke in regards to volunteer opportunities.
- 3) Tracy Allard, 1421 Pebble Creek Dr., spoke in regards to a dog park.
- 4) Wayne Balla, 1421 Pebble Creek Dr., spoke in regards to sidewalk concerns.

15. Consent Agenda

- A.** Consider approval of a Resolution denying the request by Atmos Energy Corp., Mid-Tex Division to increase gas utility rates within the City of Coppell, providing for notice hereof to said company and authorizing the Mayor to sign.
- A motion was made by Councilmember Tim Brancheau, seconded by Councilmember Marvin Franklin, that Agenda Items A and B be approved on the Consent Agenda. The motion passed by an unanimous vote.**
- Aye:** 7 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Councilmember Billy Faught; Councilmember Marvin Franklin; Aaron Duncan and Gary Roden
- Enactment No: 2012-0522.2
- B.** Consider approval of minutes: May 8, 2012.
- A motion was made by Councilmember Tim Brancheau, seconded by Councilmember Marvin Franklin, that Agenda Items A and B be approved on the Consent Agenda. The motion passed by an unanimous vote.**
- Aye:** 7 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Councilmember Billy Faught; Councilmember Marvin Franklin; Aaron Duncan and Gary Roden

End of Consent Agenda

- 16.** Consider approval of Change Order Number 5 to the Old Town Coppell and Bethel Road Infrastructure Improvements (ST10-02) project in the amount of \$252,421.09 with JRJ Paving, LP; as provided for in CIP funds; and authorizing the City Manager to sign and execute 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 Brianna Hinojosa-Flores, that this Agenda Item be approved. The motion passed by an unanimous vote.**
- Aye:** 7 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Councilmember Billy Faught; Councilmember Marvin Franklin; Aaron Duncan and Gary Roden
- 17.** Consider approval of Supplemental Agreement No. 3 to the Treated

Water Contract between City of Coppell and the City of Dallas; and authorizing the City Manager to sign and execute any necessary documents.

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

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

Aye: 7 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Councilmember Billy Faught; Councilmember Marvin Franklin; Aaron Duncan and Gary Roden

18. Consider approval of an agreement with the Coppell Kid Country Playground Association, for the improvements of Kid Country Playground, and authorizing the Mayor to sign.

Brad Reid, Director of Parks and Recreation, made a presentation to Council.

Jack Clark and Ed Guignon, Kid Country Co-Chairs, addressed questions of Council.

A motion was made by Councilmember Brianna Hinojosa-Flores, seconded by Councilmember Bob Mahalik, that this Agenda Item be approved. The motion passed by an unanimous vote.

Aye: 7 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Councilmember Billy Faught; Councilmember Marvin Franklin; Aaron Duncan and Gary Roden

19. Consider approval of a Resolution calling for a run-off in the Special Municipal Election for Councilmember Place 3 for Saturday, June 23, 2012; authorizing the City Manager to enter into and sign a Joint Election Agreement and Election Service Contract with Dallas County Elections Department for conducting the Municipal Election; and authorizing the Mayor to sign.

A considerarse la aprobación de una resolución para convocar una Elección Municipal Especial en su segunda vuelta para elegir al Concejal que ocupará el escaño 3, a celebrarse el sábado 23 de junio de 2012; autorizar al Regente de la Ciudad a convenir y firmar un Convenio de Elecciones Conjuntas, y un Contrato de Servicios Electorales con el Departamento Electoral del Condado de Dallas para ejercerse la Elección Municipal, así como autorizar a que el Alcalde inscriba su firma.

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

Aye: 7 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Councilmember Billy Faught; Councilmember Marvin Franklin; Aaron Duncan and Gary Roden

Enactment No: 2012-0522.3

20. City Manager Reports

Project Updates and Future Agendas

City Manager Clay Phillips reminded Council that a Budget Workshop will be held on May 29th and that there will only be one Council Meeting in June.

21. Mayor and Council Reports

Report by Mayor Hunt regarding the Coppell Aquatic and Recreation Center Grand Re-Opening Event on May 26th.

Mayor Hunt reported that the Coppell Aquatic and Recreation Center Grand Re-Opening Event will be on May 26th from 10am - 1pm. Activities include: a Ribbon Cutting Ceremony at 10am, a live DJ, food and refreshments provided by the Police Explorers, face painting and balloon artists, facility information booths, giveaways, and the outdoor pools open for the Summer Season.

22. Public Service Announcements concerning items of community interest and no Council action or deliberation is permitted.

Nothing to report.

At this time, Mayor Hunt recessed the Regular Session and convened into Work Session for Items A & E at 9:39 p.m.

Mayor Hunt adjourned the Work Session at 9:45 p.m. and convened into Executive Session at 9:50 p.m.

Mayor Hunt convened the Executive Session at 10:17 p.m. and reopened the Regular Session.

10. Consider appointment of Mayor Pro Tem as required by Section 3.05 of the Home Rule Charter.

A motion was made by Councilmember Billy Faight, seconded by Councilmember Marvin Franklin, to appoint Councilmember Brancheau as Mayor Pro Tem. The motion passed by an unanimous vote.

Aye: 7 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Councilmember Billy Faight; Councilmember Marvin Franklin; Aaron Duncan and Gary Roden

23. Necessary Action from Executive Session

Nothing to report.

Adjournment

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

Karen Selbo Hunt, Mayor

ATTEST:

Christel Pettinos, City Secretary