



# City of Coppel, Texas

255 Parkway Boulevard  
Coppel, Texas 75019-9478

## Minutes City Council

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Tuesday, July 9, 2013

5:30 PM

Council Chambers

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**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 Coppel met in Regular Called Session on Tuesday, July 9, 2013, at 5:30 p.m. in the City Council Chambers of Town Center, 255 Parkway Boulevard, Coppel, Texas.

**1. Call to Order**

Mayor Hunt called the meeting to order, determined that a quorum was present and convened into Executive Session at 5:39 p.m.

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

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

**A.** Discussion regarding property located at Southwestern Boulevard and South Coppel Road.

**Discussed under Executive Session**

**B.** Discussion regarding Economic Development prospects south of Bethel Road and west of South Coppel Road.

**Discussed under Executive Session**

- C. Discussion regarding Economic Development prospects north of Southwestern Boulevard and east of Freeport Parkway.

**Discussed under Executive Session**

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

- D. Discussion regarding Attorney General Appeals for OR 2013-09449 and OR 2013-09911.

**Discussed under Executive Session**

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

**No discussion.**

**Section 551.071, Texas Government Code - Consultation with City Attorney and Section 551.072, Texas Government Code - Deliberation regarding Real Property.**

- F. Discussion regarding property purchases, related legal issues and matters concerning property located at Northlake.

**Discussed under Executive Session**

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

**Mayor Hunt adjourned the Executive Session at 6:17 p.m. and convened into the Work Session.**

- A. Discussion regarding Combined Dispatch.
- B. Discussion regarding CRDC Sales Tax Reauthorization.
- C. Discussion regarding 5th Tuesday Workshops.
- D. Discussion of Agenda Items.

**Presented in Work Session**

**Regular Session**

**Mayor Hunt adjourned the Work Session at 7:15 p.m. and opened the Regular Session.**

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

**Clayton Coates, GracePoint Church, gave the Invocation.**

**5. Pledge of Allegiance**

**Mayor Hunt led those present in the Pledge of Allegiance.**

**6. Report by Library Board.**

Patricia Nicks, Chair, gave the board's semi-annual report.

7. Presentation of an award to the City of Coppell from the Texas Comptroller of Public Accounts as a recipient of the 2013 Texas Comptroller Leadership Circle Gold Member.

Mayor Hunt presented the 2013 Texas Comptroller Leadership Circle Gold Member Award from the Texas Comptroller of Public Accounts to Cayce Lay, Budget Coordinator, and Sharon Logan, Community Information Officer.

8. **Citizens' Appearance**

Mayor Hunt asked for those who signed up to speak:

- 1) Roger Glass, 512 McNear Dr., spoke in regards to the Bethel Road 3C Project.

9. **Consent Agenda**

- A. Consider approval of minutes: June 11, 2013.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Aaron Duncan, to approve Consent Agenda Items A-E and G-J. Item F was pulled from the Consent Agenda. The motion passed by an unanimous vote.

- B. Consider approval of the appointment of Vijay Samar to the Planning and Zoning Commission to fill the unexpired term of Craig Pritzlaff.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Aaron Duncan, to approve Consent Agenda Items A-E and G-J. Item F was pulled from the Consent Agenda. The motion passed by an unanimous vote.

- C. Consider approval of a contract for materials testing for the Sandy Lake Road Project (#ST 99-02) to Alliance Geotechnical Group in the amount of \$95,145.50; and authorizing the City Manager to sign and execute the necessary documents.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Aaron Duncan, to approve Consent Agenda Items A-E and G-J. Item F was pulled from the Consent Agenda. The motion passed by an unanimous vote.

- D. Consider approval to purchase school zone flasher controllers and hardware for 35 locations from Consolidated Traffic Controls, Inc. through an Interlocal Agreement with Houston Galveston Area Council (H-GAC), in the amount of \$138,743.00; and authorizing the City Manager to sign and execute the necessary documents.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Aaron Duncan, to approve Consent Agenda Items A-E and G-J. Item F was pulled from the Consent Agenda. The motion passed by an

unanimous vote.

- E.** Consider approval to enter into a License Agreement with the Ridgecrest Homeowners Association to allow use of decorative street and regulatory signs within the City's right of way; and authorizing the City Manager to sign and execute any necessary documents.

**A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Aaron Duncan, to approve Consent Agenda Items A-E and G-J. Item F was pulled from the Consent Agenda. The motion passed by an unanimous vote.**

- F.** 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.

**Pulled**

- G.** Consider approval of an Ordinance for Case No. PD-108R11-H, Old Town (Main Street), Phase II, a zoning change from PD-108R8-H (Planned Development-108 Revision 8-Historic) and PD-108R10-H (Planned Development-108 Revision 10-Historic), to PD-108R11-H (Planned Development-108 Revision 11-Historic), to establish a Detail Site Plan for 64 patio-home lots and four common area lots on 8.64 acres of property located on the northeast corner of South Coppell Road and the drive leading to the Service Center and authorizing the Mayor to sign.

**A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Aaron Duncan, to approve Consent Agenda Items A-E and G-J. Item F was pulled from the Consent Agenda. The motion passed by an unanimous vote.**

- H.** Consider approval of an Ordinance for Case No. PD-149R2-SF-7, Vistas of Coppell 1A, Lot 2, Block L, a zoning change from PD-149-SF-7 (Planned Development-149-Single Family-7) to PD-149 R2-SF-7 (Planned Development-149 Revision 2-Single Family-7), to allow a 5.25-foot encroachment over the required 20-foot rear building setback line, for the construction of a 288-square-foot addition at 729 Bella Vista Drive and authorizing the Mayor to sign.

**A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Aaron Duncan, to approve Consent Agenda Items A-E and G-J. Item F was pulled from the Consent Agenda. The motion passed by an unanimous vote.**

- I.** Consider approval of an Ordinance for Case No. PD-240R5-HC, North Gateway Plaza, Lot 7R, Block A - Black Walnut Café, a zoning change from PD-240R4-HC (Planned Development-240 Revision 4-Highway Commercial), to PD-240R5-HC (Planned Development-240 Revision

5-Highway Commercial), to amend the 12.36 acre Concept Plan and to attach a Detail Site Plan on 1.88 acres to allow the development of a 6,542 square-foot restaurant with a 964-square-foot patio and 2,500 square foot of retail uses to be located at 775 North Denton Tap Road and authorizing the Mayor to sign.

**A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Aaron Duncan, to approve Consent Agenda Items A-E and G-J. Item F was pulled from the Consent Agenda. The motion passed by an unanimous vote.**

- J.** Consider approval of an Ordinance for Case No. PD-264-RBN-5, Easthaven, a zoning change from R (Retail) to PD-264-RBN-5 (Planned Development-264-Residential Urban Neighborhood-5), to allow the development of 58 single-family lots and (3) three common area lots on 22 acres of property located on the south side of S.H. 121, approximately 2,500 feet west of Denton Tap Road and authorizing the Mayor to sign.

**A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Aaron Duncan, to approve Consent Agenda Items A-E and G-J. Item F was pulled from the Consent Agenda. The motion passed by an unanimous vote.**

#### **End of Consent Agenda**

**At this time, Mayor Hunt called Agenda Items 15, 17 and 16 forward.**

- 10.** PUBLIC HEARING:  
Consider approval of the Park West Commerce Ctr., Lot 3R-1, Blk 8, Replat & Lot 4, Blk 8, Minor Plat, to replat Lot 3R to eliminate 20,435 square feet of property and approve a Minor Plat for Lot 4, to incorporate the 20,435 square feet of property and establish a platted lot for future development on 32.34 acres of property located at the north side of Wrangler Drive between Freeport Parkway and Enterprise Drive, at the request of PW Commerce Center LP & Pacific Resources Associated, LLC, being represented by B. Dave Littleton, P.E., Half Associates, Inc.

**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 Councilmember Marvin Franklin, seconded by Councilmember Tim Brancheau, to close the Public Hearing and approve this Agenda Item subject to the following condition:**

- 1) Lot 4, Block 8, shall be replatted prior to development.**

**The motion passed by an unanimous vote.**

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.
- Mayor Hunt reopened the Public Hearing.**
- Presentation: Gary Sieb, Director of Planning, announced the applicant has requested to continue the Public Hearing to the August 13th meeting.**
- A motion was made by Mayor Pro Tem Billy Faught, seconded by Councilmember Marvin Franklin, to continue the Public Hearing and Agenda Item to the August 13th Council Meeting. The motion passed by an unanimous vote.**
12. Consider approval of an Ordinance for Case No. PD-262-H, Old Town Coppell Deli, Lot 1, Block A, a zoning change from H (Historic) to PD-262-H (Planned Development-262-Historic), to demolish the existing restaurant and to establish a Detail Site Plan for the proposed 1,995-square-foot restaurant/convenience store with a 850-square-foot patio on 9,481 square feet of property located at 449 W. Bethel Road and authorizing the Mayor to sign.
- Presentation: Gary Sieb, Director of Planning, made a presentation to Council.**
- A motion was made by Councilmember Bob Mahalik, seconded by Councilmember Wes Mays, that this Zoning Ordinance be approved. The motion passed with Councilmember Aaron Duncan voting against the item.**
13. PUBLIC HEARING:  
Presentation of the recommendations from the CRDC Reauthorization Committee.
- Presentation: Ed Guignon, CRDC Half-Cent Sales Tax Reauthorization Committee Chair, made a presentation to Council regarding the committee's recommendation for the November Election.**
- Mayor Hunt opened the Public Hearing and advised that no one signed up to speak. Council made some recommendations for the committee to go back and reconsider.**
14. Consider approval of a Resolution authorizing and directing the City Manager to negotiate an Interlocal Agreement with the Town of Addison, City of Carrollton, and the City of Farmers Branch regarding the construction, management and operation of a consolidated public safety dispatch center; and authorizing the Mayor to sign.
- Presentation: Police Chief Mac Tristan made a presentation to Council.**

**A motion was made by Mayor Pro Tem Billy Faught, seconded by Councilmember Marvin Franklin, that this Resolution be approved. The motion passed by an unanimous vote.**

- 15.** Consider approval of an Ordinance authorizing the issuance and sale of City of Coppell, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2013; levying an annual ad valorem tax and providing for the payment of said certificates; approving an official statement; providing an effective date; enacting other provisions relating to the subject, and authorizing the Mayor to sign.

**Presentation: Jennifer Miller, Director of Finance, made a presentation to Council. Mrs. Miller also introduced Boyd London, FirstSouthwest, to make a presentation to Council.**

**A motion was made by Mayor Pro Tem Billy Faught, seconded by Councilmember Bob Mahalik, that this Ordinance be approved. The motion passed by an unanimous vote.**

- 16.** Consider approval of an Ordinance authorizing discharge and redemption of a portion of the City's General Obligation Refunding Bonds, Series 2005; approving an escrow agreement; providing an effective date; enacting other provisions relating to the subject, and authorizing the Mayor to sign.

**Presentation: Jennifer Miller, Director of Finance, made a presentation to Council.**

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

**At this time, Mayor Hunt called forward Agenda Item 10.**

- 17.** Consider approval of an Ordinance authorizing the issuance and sale of City of Coppell, Texas General Obligation Refunding Bonds, Series 2013; levying an annual ad valorem tax and providing for the payment of said bonds; approving an official statement; providing an effective date; enacting other provisions relating to the subject, and authorizing the Mayor to sign.

**Presentation: Jennifer Miller, Director of Finance, made a presentation to Council. Mrs. Miller also introduced Boyd London, FirstSouthwest, to make a presentation to Council.**

**A motion was made by Mayor Pro Tem Billy Faught, seconded by Councilmember Bob Mahalik, that this Ordinance be approved. The motion passed by an unanimous vote.**

- 18.** 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.

**Pulled**

**19. City Manager Reports**

Project Updates and Future Agendas.

**Read and Filed**

City Manager Clay Phillips reported the Sandy Lake Road Project has begun. He also announced that the slab work at the Nature Center has been poured. At the Square in Old Town, the underground plumbing for the fountains have been installed. With regards to the Bethel Road Project, staff was meeting with Mr. Glass who spoke during Citizens' Appearance. Mr. Phillips reassured the Council that the project had not been placed behind other projects; that it was still on schedule.

Concerning Future Agendas, Mr. Phillips reminded Council of the upcoming Budget Workshops on July 11, July 16 and July 29. At the next Council meeting, a representative from Hahn, TX will present Phase I of the Branding Study.

**20. Mayor and Council Reports**

A. Report by Councilmember Mays on the Transportation and Infrastructure Summit in Irving.

B. Report by Mayor Pro Tem Billy Faught on the Spirit of Coppell Festivities.

**Read and Filed**

A. Councilmember Mays was going to promote the upcoming Transportation and Infrastructure Summit, however he decided to defer until after the Summit. He reported the special speaker at the Summit will be the Google Program Director for the Google Car who will present on the self-driving, pilot-less car.

B. Mayor Pro Tem Faught reported on the Spirit of Coppell Festivities. The event was incredibly attended and continued streaming in all night. Mayor Pro Tem Faught thanked all of the staff for the hard work putting the weekend's events on and for providing enough candy and trinkets for the parade.

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

City Manager Clay Phillips commended staff on the many successes the City has achieved, from the AAA Bond Rating from both agencies to the Firework Festivities and Library Activities. Mr. Phillips also thanked the City Council for carrying out all these activities for the community.

**22. Necessary Action from Executive Session**

A motion was made by Councilmember Tim Brancheau, seconded by Councilmember Gary Roden, to authorize the law firm of Fee, Smith and Vitullo

to file an appeal to the State District Court concerning the opinion of the Texas Attorney General in case OR2013-09449, and to prosecute such suit on behalf of the City of Coppell, Texas. The motion passed by an unanimous vote.

**Adjournment**

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

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**Karen Selbo Hunt, Mayor**

**ATTEST:**

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**Christel Pettinos, City Secretary**