



# City of Coppell, Texas

255 Parkway Boulevard  
Coppell, Texas 75019-9478

## Minutes City Council

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Tuesday, April 23, 2013

5:30 PM

Council Chambers

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**KAREN HUNT**  
Mayor

**TIM BRANCHEAU**  
Mayor Pro Tem

**BOB MAHALIK**  
Place 2

**BILLY FAUGHT**  
Place 5

**WES MAYS**  
Place 3

**MARVIN FRANKLIN**  
Place 6

**GARY RODEN**  
Place 4

**AARON DUNCAN**  
Place 7

**CLAY PHILLIPS**  
City Manager

**Present** 6 - Karen Hunt; Tim Brancheau; Bob Mahalik; Gary Roden; Marvin Franklin and Aaron Duncan

**Absent** 2 - Wes Mays and Billy Faught

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, April 23, 2013, at 5:30 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 5:49 p.m.

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 south of Houston Street and west of S. Coppell Road.

**Discussed under Executive Session**

**Section 551.071, Texas Government Code Consultation with City Attorney to seek legal advice and Section 551.072, Texas Government Code Deliberation regarding Real Property.**

- B.** 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 6:51 p.m. and convened into the Work Session.**

- A. Discussion regarding the Oncor Agreement on Sandy Lake Road.
- B. Update on Joint Radio System.
- C. Discussion regarding Possible Joint Dispatch Project.
- D. Discussion regarding Council Retreat.
- E. Discussion of Agenda Items.

**Presented in Work Session**

- Regular Session (Open to the Public)**

**Mayor Hunt adjourned the Work Session at 7:25 p.m. and opened the Regular Session.**

**At this time, Councilmember Faught arrived at the meeting.**

**Present** 7 - Karen Hunt; Tim Brancheau; Bob Mahalik; Gary Roden; Billy Faught; Marvin Franklin and Aaron Duncan

**Absent** 1 - Wes Mays

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

**Pastor Trey Grant with Irving Bible Church gave the Invocation.**

- 5. Pledge of Allegiance**

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

- 6.** Presentation of an award to the Coppell Aquatic and Recreation Center from Ellis & Associates as the recipient of the 2012 Platinum International Aquatic Safety Award.

**Steve Miller, with Ellis & Associates, presented the 2012 Platinum International Aquatic Safety Award to the Coppell Aquatic and Recreation Center and staff members Kristen Bright and Nathan Cox.**

- 7.** Consider approval of a proclamation naming Monday, April 29, 2013 as "Wilson Elementary Day in Coppell," and authorizing the Mayor to sign.

**Mayor Hunt read the proclamation into the record and presented the same to Mr. Nester, Ms. Madden and Wilson Elementary staff members. A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Bob Mahalik, that this Agenda Item be approved. The motion passed by an unanimous vote.**

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

## 8. Citizens' Appearance

**Mayor Hunt advised that no one signed up to speak.**

## 9. Consent Agenda

### A. Consider approval of minutes: April 9, 2013.

**A motion was made by Councilmember Bob Mahalik, seconded by Councilmember Billy Faught, that Agenda Items A-E be approved on the Consent Agenda. The motion passed by an unanimous vote.**

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

### B. Consider approval of entering into an agreement with TxDOT for maintenance and electric costs associated with lighting along State Highway 121, and acknowledgement that the yearly cost to the City of Coppel will be approximately \$13,600.00; and authorizing the City Manager to sign and execute any necessary documents.

**A motion was made by Councilmember Bob Mahalik, seconded by Councilmember Billy Faught, that Agenda Items A-E be approved on the Consent Agenda. The motion passed by an unanimous vote.**

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

### C. Consider approval of accepting the resignation of John Boyd from the Library Advisory Board and appointing Adrienne Morton to fill the unexpired term.

**A motion was made by Councilmember Bob Mahalik, seconded by Councilmember Billy Faught, that Agenda Items A-E be approved on the Consent Agenda. The motion passed by an unanimous vote.**

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

- D.** Consider approval of an ordinance of the City of Coppell, Texas, readopting, ratifying, republishing and extending Chapter 9 of the Code of Ordinances, Article 9-19, Youth Camp Programs Standards of Care; and authorizing the Mayor to sign.

**A motion was made by Councilmember Bob Mahalik, seconded by Councilmember Billy Faught, that Agenda Items A-E be approved on the Consent Agenda. The motion passed by an unanimous vote.**

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

Enactment No: 2013-1338

- E.** Consider approval of the dedication of an easement along West Sandy Lake Road to Oncor Electric Delivery Company, LLC for the future installation of an electric transmission line; and authorizing the Mayor to sign and execute any necessary documents.

**A motion was made by Councilmember Bob Mahalik, seconded by Councilmember Billy Faught, that Agenda Items A-E be approved on the Consent Agenda. The motion passed by an unanimous vote.**

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

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

- 10.** Discuss and consider approving a Development Agreement and Economic Development Grant between the City of Coppell and CSE Commercial Real Estate, L.P. and authorize the City Manager and Mayor to sign all appropriate and necessary agreements and instruments related thereto.

**Presentation: Mindi Hurley, Economic Development Coordinator, made a presentation to Council.**

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

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

- 11.** Discuss and consider authorizing City Manager to negotiate and execute a purchase and sale agreement; and, authorize the City Manager and Mayor to execute any and all necessary agreements and instruments related thereto, for the transfer of all or a portion of Lots 1 through 5, Block A of the Villages of Old Coppell Addition and a portion of Lot 1, Block A of the Grapevine Springs Community Center,

approximately 7.944 acres of land, to the Coppell Economic Development Foundation.

**Presentation: Mindi Hurley, Economic Development Coordinator, made a presentation to Council.**

**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:** 6 - Mayor Pro Tem Tim Brancheau; Councilmember Bob Mahalik; Councilmember Gary Roden; Councilmember Billy Faught; Councilmember Marvin Franklin and Councilmember Aaron Duncan

- 12.** Consider approval of a surface use agreement by and between Luminant, Trammell Crow No. 43, Ltd., Coppell Independent School District and the City of Coppell covering approximately 1,700 ± acres of land at Northlake; and, authorizing the City Manager to sign and execute all necessary documents.

**Presentation: City Attorney Robert Hager read the Resolution into the record and presented the information to Council.**

**A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Aaron Duncan, that this Resolution be approved. The motion passed by an unanimous vote.**

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

Enactment No: 2013-0423.1

- 13.** Consider approval of settlement and release agreement by and between Luminant and Coppell concerning property located at Northlake; and, authorizing the City Manager to sign.

**Presentation: City Attorney Robert Hager read the Resolution into the record and presented the information to Council.**

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

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

Enactment No: 2013-0423.2

- 14.** Consider approval of a land purchase agreement by and between the City of Coppell and Luminant for the purchase of dam property, pump station and pad site, approximately 56.049± acres of land generally located at the eastern boundary of Northlake; and, authorizing the City

Manager to sign and execute other necessary documents.

**Presentation: City Attorney Robert Hager read the Resolution into the record and presented the information to Council.**

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

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

Enactment No: 2013-0423.3

15. Consider approval of Amended and Restated Northlake Settlement Agreement by and between the City of Coppell and Cypress Waters Land A, Ltd. concerning property located at Northlake; and, authorizing the City Manager to sign.

**Presentation: City Attorney Robert Hager read the Resolution into the record and presented the information to Council.**

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

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

Enactment No: 2013-0423.4

16. Consider approval of grant of temporary access easement and a water line easement to Cypress Waters Land A, Ltd. on the North Sliver Tract and East Tract, respectively, located at Northlake; and, authorizing the Mayor to sign.

**Presentation: City Attorney Robert Hager read the Resolution into the record and presented the information to Council.**

**A motion was made by Councilmember Gary Roden, seconded by Councilmember Aaron Duncan, that this Resolution be approved. The motion passed by an unanimous vote.**

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

Enactment No: 2013-0423.5

17. Consider approval of a release agreement by and between Oncor and the City of Coppell concerning release of any easement rights over a portion of city owned property located at Northlake; and, authorizing the Mayor to sign.

**Presentation: City Attorney Robert Hager read the Resolution into the record and presented the information to Council.**

**A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Bob Mahalik, that this Resolution be approved. The motion passed by an unanimous vote.**

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

Enactment No: 2013-0423.6

- 18.** Consider approval of grant of easement to Oncor for transmission and distribution lines over city owned property located at Northlake; and, authorizing the Mayor to sign.

**Presentation: City Attorney Robert Hager read the Resolution into the record and presented the information to Council.**

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

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

Enactment No: 2013-0423.7

**19. City Manager Reports**

Project Updates and Future Agendas.

**Read and Filed**

City Manager Clay Phillips reminded Council of their 5th Tuesday Work Session on April 30th in the 2nd Floor Conference Room. He also mentioned that while Mr. Hager brought forward some resolutions at this meeting pertaining to Northlake, additional items will be coming forward pertaining to the lake edge.

**20. Mayor and Council Reports**

A. Report by Mayor Hunt regarding Bounce!

**Read and Filed**

Mayor Hunt reported that Bounce is just around the corner on May 11th. Activities will include: Bounce Houses galore, a live band - Moving Colors (current upbeat pop), Face Painting, Balloon Artists, Free Hotdogs (first come first serve) and tons of recreational and health vendors from Coppell. The time is from 10am – 2pm. It will be tons of fun – Don't miss out!

**21. Council Committee Reports concerning items of community involvement with no Council action or deliberation permitted.**

Councilmember Franklin reported that the Metrocrest Social Services Annual Keyholder's Breakfast was held on April 23rd. Councilmember Mahalik congratulated the CHS Boys' Soccer Team on their win at state.

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

Mayor Hunt announced that Relay for Life will be held on April 27th at Wagon Wheel Park. Also on Saturday evening, The Chamber will host the Coppell Community Gala. For tickets, contact the Coppell Chamber.

**23. Necessary Action from Executive Session**

Nothing to report.

**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**