



City of Coppell, Texas

255 Parkway Boulevard
Coppell, Texas 75019-9478

Minutes - Draft City Council

Tuesday, May 8, 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

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 8, 2012, at 5:30 p.m. in the City Council Chambers of Town Center, 255 Parkway Boulevard, Coppell, Texas.

1. Call to Order

Mayor Pro Tem Tunnell called the meeting order, determined a quorum was present and convened into Executive Session at 5:45 p.m.

Mayor Stover arrived prior to convening into Executive Session.

Present 8 - Douglas N. Stover; Tim Brancheau; Bob Mahalik; Brianna Hinojosa-Flores; Marsha Tunnell; Billy Faught; Marvin Franklin and Karen Hunt

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

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

- A.** Seek legal advice from the City Attorney concerning the status of the injunction barring Oncor from relocating power lines on Sandy Lake Road.

Discussed under Executive Session

- B. Consultation with the City Attorney in regards to Mira Mar v. City of Coppell.

Discussed under Executive Session

- C. Seek legal advice from the City Attorney concerning the settlement and land purchase agreements with the Billingsleys at Northlake.

Discussed under Executive Session

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

- D. Discussion regarding property purchases and matters concerning property located at Northlake.

Discussed under Executive Session

- E. Discussion regarding property east of Denton Tap Road and north of Sandy Lake Road.

Discussed under Executive Session

Section 551.087, Texas Government Code - Economic Development Negotiations.

- F. Discussion regarding Economic Development prospects west of Freeport Parkway and north of Interstate 635.

Discussed under Executive Session

- G. Discussion regarding Economic Development prospects west of Belt Line Road and south of Dividend.

Discussed under Executive Session

Mayor Stover adjourned Executive Session at 6:38 p.m. and opened the Work Session.

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

- A. Discussion regarding the Professional Services Agreement for the Andy Brown Park System.

- B. Discussion of Agenda Items.

Presented in Work Session

Mayor Stover adjourned the Work Session and opened the Regular Session.

Regular Session (Open to the Public)

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

Pastor Jason Graves with Riverside Church gave the Invocation.

5. **Pledge of Allegiance**

Mayor Stover led those present in the Pledge of Allegiance.

6. Presentation of the Texas Environmental Excellence Award for Innovative Operations/Management given to EcoCoppell at the TCEQ 2012 Awards Banquet held in Austin on May 2, 2012.

Deputy City Manager Mario Canizares made a presentation to Council on the Texas Environmental Excellence Award presented to the City of Coppell and ecoCoppell from the TCEQ.

7. Consider approval of a proclamation recognizing the month of May as "Older Americans Month 2012," and authorizing the Mayor to sign.

Mayor Stover read the proclamation for the record and presented the same to Councilmember Franklin, Senior Adult Services liaison.

A motion was made by Councilmember Bob Mahalik, seconded by Councilmember Karen Hunt, 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; Mayor Pro Tem Marsha Tunnell; Councilmember Billy Faught; Councilmember Marvin Franklin and Councilmember Karen Hunt

8. Consider approval of a proclamation proclaiming the week of May 20 through May 26, 2012 as Emergency Medical Services Week.

Mayor Stover read the proclamation for the record and presented the same to Kevin Richardson, Fire Chief.

A motion was made by Councilmember Marvin Franklin, 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; Mayor Pro Tem Marsha Tunnell; Councilmember Billy Faught; Councilmember Marvin Franklin and Councilmember Karen Hunt

9. **Citizens' Appearance**

1) Joe Shirley, 582 Villawood Ln., spoke of his appreciation to City staff for their assistance.

2) Steve Chadick, 509 W. Bethel Rd., spoke highly of the Engineering Department and staff who assisted him with his questions.

10. Consent Agenda

- A.** Consider approval of minutes: April 24, 2012.

A motion was made by Mayor Pro Tem Marsha Tunnell, seconded by Councilmember Bob Mahalik, that Agenda Items A-F be approved on the Consent Agenda. The motion passed by an unanimous vote.

- B.** Consider approval of an Ordinance for Case No. PD-253-H, Old Town Water Tank/Office Addition, Lots 1 & 2, Block A, a zoning change from H (Historic) to PD-253-H (Planned Development-253-Historic), to allow for the office use and to retain the existing water storage tank on property located at 616/618 South Coppell Road and authorizing the Mayor to sign.

A motion was made by Mayor Pro Tem Marsha Tunnell, seconded by Councilmember Bob Mahalik, that Agenda Items A-F be approved on the Consent Agenda. The motion passed by an unanimous vote.

Enactment No: 91500-A-583

- C.** Consider approval of an Ordinance for Case No. PD-95R-SF-9, Shadow Ridge Estates I, Lot 10, Block A, a zoning change from PD-95-SF-9 (Planned Development -95-Single Family-9) to PD-95R-SF-9 (Planned Development-95 Revised-Single Family-9), to allow for a 767.5-square-foot garage expansion on property located at 202 Southern Belle Drive and authorizing the Mayor to sign.

A motion was made by Mayor Pro Tem Marsha Tunnell, seconded by Councilmember Bob Mahalik, that Agenda Items A-F be approved on the Consent Agenda. The motion passed by an unanimous vote.

Enactment No: 91500-A-584

- D.** Consider approval of an Ordinance for Case No. PD-250R-H, Darling Patio Homes, Lots 1R-32R, Block F, Lots 2R-13R, Block G and Lot 2RX, Block G, Old Town (Main Street), a zoning change from PD-250-H (Planned Development-250-Historic), to PD-250R-H (Planned Development-250 Revised-Historic), to allow 44 patio-home lots and one common area lot on property located west of South Coppell Road and north of Burns Street and authorizing the Mayor to sign.

A motion was made by Mayor Pro Tem Marsha Tunnell, seconded by Councilmember Bob Mahalik, that this Zoning Ordinance be Approved on the Consent Agenda passed BY VOICE VOTE

Enactment No: 91500-A-585

- E.** Consider approval of a six-month extension to the expiration date of June 13, 2012, for the Red Hawk Addition, Lot 28R, Block A, Replat, a replat to establish various easements to accommodate an office

building.

A motion was made by Mayor Pro Tem Marsha Tunnell, seconded by Councilmember Bob Mahalik, that Agenda Items A-F be approved on the Consent Agenda. The motion passed by an unanimous vote.

- F.** Consider approval of award of a Professional Services Agreement for the development of a conceptual design study of the Andrew Brown Park System, with Dunaway Associates, in the amount of \$55,000.00, and authorizing the City Manager to sign.

A motion was made by Mayor Pro Tem Marsha Tunnell, seconded by Councilmember Bob Mahalik, that Agenda Items A-F be approved on the Consent Agenda. The motion passed by an unanimous vote.

End of Consent Agenda

- 11.** PUBLIC HEARING:
Consider approval of Case No. PD-254-SF, Ridgecrest Estates, a zoning change request from SF-12 (Single Family-12) to PD-254-SF (Planned Development-254-Single Family), to establish a Detail Site Plan to allow 26 single-family lots and two common area lots on (7) seven acres of property located at the northeast corner of East Sandy Lake Road and Lodge Road.

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

Matthew Alexander, representing the applicant, made a presentation to Council.

Mayor Stover opened the Public Hearing and asked for the following to speak:

- 1) Ron Forest, 140 ParkValley Ct., spoke in favor of the motion.**
- 2) Edie Stevens, 132 Park Valley Ct., spoke against the motion.**
- 3) Jim O'Brien, 127 Beaver Run, spoke against the motion.**
- 4) Emily Chun, 436 Pecan Hollow Dr., answered questions of Council.**

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Bob Mahalik, to close the Public Hearing and approve with the following conditions:

- 1) Add a PD condition regarding how the HOA will maintain all screening fences as well as open space; and**
- 2) Delete condition #11 "All new trees shall count toward tree mitigation requirements".**

The motion passed by an unanimous vote.

Aye: 7 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Mayor Pro Tem Marsha Tunnell; Councilmember Billy Faught; Councilmember Marvin Franklin and Councilmember Karen Hunt

- 12.** PUBLIC HEARING:

Consider approval of Case No. PD-250R2-H, Old Town Addition (Main Street), Lot 2R, Block E, a zoning change request from PD-250-H (Planned Development-250-Historic), to PD-250R2-H (Planned Development-250 Revision 2-Historic) to establish a Detail Site Plan on Lot 2R, Block E for a pavilion, fountain, play area and public restroom/ storage building on 1.53 acres of property located south of Houston Street and north of Travis Street between West Main and East Main Streets.

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

Brad Reid, Director of Parks and Recreation, represented the applicant.

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

A motion was made by Mayor Pro Tem Marsha Tunnell, seconded by Councilmember Bob Mahalik, to close the Public Hearing and approve subject to the following conditions:

- 1) Label proposed colors of restroom/storage facility;**
- 2) Specify detail of the surface material for the playground area; and**
- 3) There may be additional comments during detailed Engineering Plan review.**

The motion passed by an unanimous vote.

Aye: 7 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Mayor Pro Tem Marsha Tunnell; Councilmember Billy Faught; Councilmember Marvin Franklin and Councilmember Karen Hunt

13.

PUBLIC HEARING:

Consider approval of Case No. PD-250R3-H, Old Town Addition (Main Street) Entry Feature, Lot 1RX, Block B, a zoning change request from PD-250-H (Planned Development-250-Historic) to PD-250R3-H (Planned Development-250 Revision 3-Historic), to establish a Detail Site Plan for an Entry Feature on 0.022 acres of property located at the southeast corner of Bethel Road and Main.

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

Greg Yancey, representing the applicant, made a presentation to Council.

Mayor Stover opened the Public Hearing and asked for the following to speak:

- 1) Steve Chadick, 509 W. Bethel Rd., spoke against the entry feature.**
- 2) Joe Shirley, 582 Villawood Ln., spoke against the entry feature.**
- 3) Karen Purcell, 429 Parkway Blvd., spoke in favor of the entry feature.**

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

At this time, Mayor Stover called for a 5 minute recess at 10:15 p.m.

Aye: 7 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Mayor Pro Tem Marsha Tunnell; Councilmember Billy Faught; Councilmember Marvin Franklin and Councilmember Karen Hunt

14.

PUBLIC HEARING:

Consider approval of Case No. PD-250R4-H, Old Town Addition (Main Street) Parking Lot, Lot 1R, Block A, a zoning change request from PD-250-H (Planned Development-250-Historic) to PD-250R4-H (Planned Development-250 Revision 4-Historic), to establish a Detail Site Plan for parking lot with 80 parking spaces on 1.067 acres of property located at the northeast corner of Hammond Street and Houston Street.

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

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

A motion was made by Mayor Pro Tem Marsha Tunnell, seconded by Councilmember Billy Faught, to close the Public Hearing and approve the Agenda Item. The motion passed by an unanimous vote.

Aye: 7 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Mayor Pro Tem Marsha Tunnell; Councilmember Billy Faught; Councilmember Marvin Franklin and Councilmember Karen Hunt

15.

PUBLIC HEARING:

Consider approval of the Old Town Addition (Main Street), Blocks A thru E, Replat, being a replat of Blocks A thru E into Lots 1R to 4R, Block A; Lots 1R & 1RX, Block B; Lots 1R to 6R, Block C; Lots 1R to 11R, Block D and Lots 1R1, 1R2 & Lot 2R, Block E, to establish lots, easements and an alley right-of-way on approximately 6.2 acres of property located South of Bethel Road, between Hammond Street and East Main Street.

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

Greg Yancey, representing the applicant, made a presentation to Council.

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

A motion was made by Councilmember Tim Brancheau, seconded by Mayor Pro Tem Marsha Tunnell, to close the Public Hearing and approve subject to the following conditions:

- 1) Additional easements may be required based on final Engineering review; and
- 2) Additional comments may be generated on final review of Engineering Plans.

The motion passed by an unanimous vote.

Aye: 7 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Mayor Pro Tem Marsha Tunnell; Councilmember Billy Faught; Councilmember Marvin Franklin and Councilmember Karen Hunt

16. Consider approval of the First Baptist Church of Coppell, Lot 1, Block A, Site Plan Amendment, to allow a 740-square-foot building expansion, revised elevations, the addition of a covered drop-off area and modifications to the landscaping and parking on 5.161 acres of property located at 590 S. Denton Tap Road.

Presentation: Gary Sieb, Director of Planning, 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; Mayor Pro Tem Marsha Tunnell; Councilmember Billy Faught; Councilmember Marvin Franklin and Councilmember Karen Hunt

17. Consider approval of awarding Bid #Q-0412-01 for Cleaning and Related Services of Municipal Buildings to UBM Enterprises, Inc. in the amount of \$144,930.00, and Add Alternate #1 at \$12.50/hr for private rental setups/cleanups and Add Alternate #2 at \$12.50/hr for senior center program setups/cleanups, for a one year period beginning June 1, 2012, with renewal options of an additional 4 years; and authorizing the City Manager to sign and execute any necessary documents.

Presentation: Sheri Moino, Facilities Manager, made a presentation to Council.

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: 7 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Mayor Pro Tem Marsha Tunnell; Councilmember Billy Faught; Councilmember Marvin Franklin and Councilmember Karen Hunt

18. Consider approval of awarding Buyboard Contract: #325-09, Quote#MB42012-1 for Access Control System Retrofit and Expansion to Entech Sales and Service in the amount of \$300,481.00, and authorizing the City Manager to sign and execute any necessary documents.

Presentation: Sheri Moino, Facilities Manager, made a presentation to Council.

A motion was made by Councilmember Brianna Hinojosa-Flores, seconded by Councilmember Karen Hunt, 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; Mayor Pro Tem Marsha Tunnell; Councilmember Billy Faught; Councilmember Marvin Franklin and Councilmember Karen Hunt

19. Consider approval of a Resolution approving a Tax Abatement Agreement between the City of Coppell and Scentsy, Inc., and authorizing the Mayor to sign.

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

A motion was made by Mayor Pro Tem Marsha Tunnell, seconded by Councilmember Karen Hunt, that this Resolution be approved. The motion passed by an unanimous vote.

Aye: 7 - Councilmember Tim Brancheau; Councilmember Bob Mahalik; Councilmember Brianna Hinojosa-Flores; Mayor Pro Tem Marsha Tunnell; Councilmember Billy Faught; Councilmember Marvin Franklin and Councilmember Karen Hunt

Enactment No: 2012-0508.1

20. Discuss and consider approving the Second Amendment to Development Agreement between the City of Coppell and Main Street Coppell, Ltd., and authorize the City Manager to sign.

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

A motion was made by Councilmember Brianna Hinojosa-Flores, seconded by Mayor Pro Tem Marsha Tunnell, 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; Mayor Pro Tem Marsha Tunnell; Councilmember Billy Faught; Councilmember Marvin Franklin and Councilmember Karen Hunt

21. City Manager Reports

Project Updates and Future Agendas.

Read and Filed

City Manager Clay Phillips reported that construction on Deforest Road continues. The infrastructure on W. Bethel Road and Main Street is making good progress and should complete around mid-summer. Regarding the project on W. Sandy Lake Road and the power lines relocation, some of the homeowners have sought an injunction against Oncor. The project is on hold until the issue is resolved. Mr. Phillips reminded Council about the Aquatic and Recreation Center Grand Re-Opening scheduled for Memorial Day Weekend. Finally, Mr. Phillips made some comments for the community on the latest information concerning Northlake and Cypress Waters.

22. Mayor and Council Reports

Report by Mayor Stover regarding Metroplex Mayors' Meeting.

Read and Filed

Deputy City Manager Mario Canizares attended the Metroplex Mayors' Meeting. Mr. Canizares mentioned that the Lancaster Fire Chief spoke on the recent tornadoes that hit the community and the importance of having an Emergency Management Plan. Also, outgoing mayors and city managers were honored for their years of service.

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

Councilmember Faught announced that May 16th is Coppel's Ride of Silence. This event held on the 3rd Wednesday in May recognizes the cyclists injured or killed on local roadways. The riding begins at 7 p.m. and continues along a 11 mile course.

Mayor Stover also announced that the Coppel Aquatic and Recreation Center was awarded the 2011 Gold International Aquatic Safety Award. The Coppel Explorers competed at a regional competition and all three teams entered from Coppel's post won awards. Mayor Stover reminded the community that May 12th is Election Day from 7 a.m. to 7 p.m. at Town Center. Early Voting closed on May 8th and reported approximately 1,400 voters in the General Election and approximately 1,300 voters in the Special Election for Place 3.

24. Necessary Action from Executive Session

Nothing to report.

Adjournment

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

Douglas N. Stover, Mayor

CERTIFICATE

I certify that the above Notice of Meeting was posted on the bulletin board at the City Hall of the City of Coppel, Texas on this 4th day of May, 2012, at _____.

Christel Pettinos, City Secretary

PUBLIC NOTICE - STATEMENT FOR ADA COMPLIANCE

The City of Coppell acknowledges its responsibility to comply with the Americans With Disabilities Act of 1990. Thus, in order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, and amanuenses) for participation in or access to the City of Coppell sponsored public programs, services and/or meetings, the City requests that individuals makes requests for these services forty-eight (48) hours ahead of the scheduled program, service, and/or meeting. To make arrangements, contact Vivyon V. Bowman, ADA Coordinator or other designated official at (972) 462-0022, or (TDD 1-800-RELAY, TX 1-800-735-2989).