



# City of Coppel, Texas

255 E. Parkway Boulevard  
Coppel, Texas  
75019-9478

## Minutes City Council

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Tuesday, June 12, 2018

5:30 PM

Council Chambers

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**KAREN HUNT**  
Mayor

**NANCY YINGLING**  
Mayor Pro Tem

**CLIFF LONG**  
Place 1

**GARY RODEN**  
Place 4

**BRIANNA HINOJOSA-FLORES**  
Place 2

**MARVIN FRANKLIN**  
Place 6

**WES MAYS**  
Place 3

**MARK HILL**  
Place 7

**MIKE LAND**  
City Manager

**Present** 6 - Karen Hunt;Cliff Long;Wes Mays;Gary Roden;Mark Hill and Nancy Yingling

**Absent** 1 - Brianna Hinojosa-Flores

Also present were City Manager Mike Land, Deputy City Managers Traci Leach and Noel Bernal, City Secretary Christel Pettinos and City Attorney Robert Hager.

The City Council of the City of Coppel met in Regular Called Session on Tuesday, June 12, 2018, 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 the Executive Session at 5:47 p.m.

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

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

Seek legal advice regarding payment of franchise fees under an agreement with Spectrum Cable.

**Discussed under Executive Session**

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

Mayor Hunt adjourned the Executive Session at 6:57 p.m. and convened into the Work Session.

- A. Discussion regarding the Arts Center.
- B. Discussion regarding debt issuance.
- C. Discussion regarding Mayor Pro Tem appointment.
- D. Discussion of Agenda Items.

**Presented in Work Session**

**Regular Session**

Mayor Hunt adjourned the Work Session at 7:05 p.m. and reconvened into the Regular Session at 7:30 p.m.

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

Pastor Tom Palmer with First United Methodist Church gave the invocation.

**5. Pledge of Allegiance**

Mayor Hunt and the City Council led those present in the Pledge of Allegiance.

**6.** Consider approval of a proclamation honoring Coppell High School students on their appointments to military academies; and authorizing the Mayor to sign.

Mayor Hunt read the proclamation for the record and presented the same to Nicholas Kim. A motion was made by Councilmember Marvin Franklin, seconded by Mayor Pro Tem Nancy Yingling, that this agenda item be approved. The motion passed by an unanimous vote.

**7.** Consider approval of a proclamation naming June 29, 2018, as "George A. Coppell Day;" and authorizing the Mayor to sign.

Mayor Hunt read the proclamation for the record and presented the same to Patti Carpenter, President of the Historical Society. A motion was made by Councilmember Wes Mays, seconded by Councilmember Cliff Long, that this agenda item be approved. The motion passed by an unanimous vote.

**8.** Consider approval of a proclamation naming the month of July as "Park and Recreation Month;" and authorizing the Mayor to sign.

Mayor Hunt read the proclamation for the record and presented the same to Tiffany Anderson, Community Engagement. A motion was made by Mayor Pro Tem Nancy Yingling, seconded by Councilmember Gary Roden, that this agenda item be approved. The motion passed by an unanimous vote.

**9. Citizens' Appearance**

Mayor Hunt asked for those who signed up to speak:

1) Brad Henderson, 463 Cambria, spoke in opposition to the expanding cost of the Art Center.

2) Thomas Burrows, 138 Wynnpage, spoke in opposition to the Art Center and doesn't believe it is in the right location.

3) George Ritcheske, 765 Crane Cir., spoke in favor of the Art Center and believes the community needs enrichment.

4) Joe Shirley, 582 Villawood Ln., spoke in opposition to the Art Center, was upset there was no public input requested until May 24th at the CRDC meeting and asks the City Council to vote against items 15 and 16.

5) Eric Juengerman, 423 Clear Creek Ln., spoke against the Art Center.

6) Pete Wilson, 214 Samuel Blvd., spoke in favor of the Art Center as there are plenty of funds available to support the parks, the trails and now the arts.

7) Bethany Henze, 721 S. Coppel Rd., believes we have outgrown the current theater and hopes the City Council will support the Art Center.

8) Gary Tanel, 316 Crooked Tree Ct., spoke in favor of the Art Center and believes it will continue to make Coppel a sought after community.

9) Brian Black, 615 Prestwick Ct., is in favor the Art Center but believes it should be on the ballot in November.

10) Susan Cohrs, 910 Brown Trail, is supportive of the Art Center but has concerns about the cost and plans.

11) Scott Spray, 622 Cribbs Dr., is supportive of the Art Center but not at the proposed cost.

12) Jean Shiflett, 662 Cribbs, Dr., suggests Fortune 500 companies contribute and sponsor the venue, requests more transparency on the webpage and would like to see the item on the ballot in November.

13) Bill Hulbert, 241 Suzanne Way, stated regulations for short term rentals are unconstitutional and subject to lawsuits and believes Council should vote against the ordinance.

14) Mary Hyndman, 535 Melinda St., supports the Art Center and believes a capital fundraising program may assist with the cost.

15) Sowmya Dondapati, 827 Preakness Ln., stated an Art Center is important because there is not enough room to practice at the current theater today.

16) Davin Bernstein, 228 Hollywood Dr., read from the Attorney General's website regarding the authority to regulate short term rentals and believes we are subjecting ourselves to a lawsuit. He also suggested updating the City's website with regards to the Art Center and allowing public comments.

17) Patrick Miller, 185 N. Heartz Rd., supports the Art Center as the community needs a way to express itself.

18) Roy Ross, 327 Gifford Dr., recommended Council vote against the short term rental ordinance.

19) Brad Masters, 200 Plantation Dr., supports the arts, but not this facility. He believes the law was changed to make this happen and will burden the community with debt.

20) Michael Kincade, 428 Parkway Blvd., supports the Art Center and believes it is a public service.

21) Paul Lee, 634 Wakeview Dr., supports the Art Center and believes it is an investment for the community.

22) James Helms, 732 S. Coppell Rd., is in favor of the Art Center and believes it will drive people to Coppell.

## 10. Consent Agenda

A. Consider approval of the minutes: May 22 and May 29, 2018.

Mayor Hunt announced Item B would be pulled from the Consent Agenda. A motion was made by Councilmember Gary Roden, seconded by Councilmember Wes Mays, to approve Consent Agenda Items A and C-H. The motion passed by an unanimous vote.

B. Consider an award of contract with Joel Brown and Company, LLC for the excavation and removal of materials in the amount of \$200,000; as provided in the CRDC Fund Balance; and authorizing the City Manager to sign any necessary documents.

Consent Agenda Item B was pulled and considered separately on the Regular Agenda. Kent Collins, Director of Engineering and Public Works, made a presentation to the City Council.

A motion was made by Councilmember Wes Mays, seconded by Councilmember Marvin Franklin, that this agenda item be approved. The motion passed by an unanimous vote.

C. Consider approval to enter a contract with Halff Associates to complete a Conceptual Drainage Master Plan & Rate Study; in the amount of \$268,300.00; as budgeted in General Fund; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Gary Roden, seconded by Councilmember Wes Mays, to approve Consent Agenda Items A and C-H. The motion passed by an unanimous vote.

D. Consider award of a contract through National Cooperative Purchasing Alliance (NCPA) with CORE Construction for interior renovations to the Wagon Wheel Park Soccer concession stand and restrooms, in the

amount of \$87,994.14, as budgeted, and authorizing the City Manager to sign any necessary documents.

**A motion was made by Councilmember Gary Roden, seconded by Councilmember Wes Mays, to approve Consent Agenda Items A and C-H. The motion passed by an unanimous vote.**

- E.** Consider approval of a Resolution adopting the Amended and Restated Bylaws for the North Texas Emergency Communications Center; and authorizing the Mayor to sign.

**A motion was made by Councilmember Gary Roden, seconded by Councilmember Wes Mays, to approve Consent Agenda Items A and C-H. The motion passed by an unanimous vote.**

Enactment No: RE 2018-0612.1

- F.** Consider approval of a Resolution suspending the July 5, 2018 effective date of Texas-New Mexico Power Company's (TNMP's) requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with other TNMP cities; hiring Lloyd Gosselink Attorneys and Consulting Services to negotiate with the company and direct any necessary litigation and appeals; and authorizing the Mayor to sign.

**A motion was made by Councilmember Gary Roden, seconded by Councilmember Wes Mays, to approve Consent Agenda Items A and C-H. The motion passed by an unanimous vote.**

Enactment No: RE 2018-0612.2

- G.** Consider approval of a Master Agreement between the City of Coppell and ORBYT, Inc., for the development and implementation of the Allies in Community curriculum and training program; and authorizing the City Manager to sign any necessary documents.

**A motion was made by Councilmember Gary Roden, seconded by Councilmember Wes Mays, to approve Consent Agenda Items A and C-H. The motion passed by an unanimous vote.**

- H.** Consider approval of an Ordinance for PD-133R8-HC, Magnolia Office Park (Savannah Coppell), being a zoning request from PD-133-HC (Planned Development District-133-Highway Commercial) to PD-133R8-HC (Planned Development District-133 Revision 8-Highway Commercial) to attach a Detail Site Plan to allow six, one-story office buildings to be located on the south side of SH 121, approximately 215 feet west of N. Denton Tap Road; and authorizing the Mayor to sign.

**A motion was made by Councilmember Gary Roden, seconded by Councilmember Wes Mays, to approve Consent Agenda Items A and C-H. The motion passed by an unanimous vote.**

Enactment No: OR 91500-A-725

**End of Consent Agenda**

- 11.** Consider approval of an Ordinance for PD-221R3R3-HC, Point West - Sun Holdings, being a zoning request from PD-221R3-HC (Planned Development-221 Revision 3-Highway Commercial) to PD-221R3R3-HC (Planned Development-221 Revision 3 Revised 3-Highway Commercial) to attach a Detail Site Plan for an 8,526 square foot retail/restaurant building on 1.9 acres of land (Lot 1R-1), and to amend the Concept Plan on Lot 1R-8 (3.6 acres) and attach a Detail Plan for a parking lot on one (1) acre and retain the Concept Plan for a Hotel on the remaining 2.6 acres of property located at the northwest corner of IH-635 and S. Belt Line Road, and authorizing the Mayor to sign.

**Presentation: Marcie Diamond, Assistant Director of Planning, made a presentation to City Council.**

**Greg Guerin, representing the applicant, answered questions of the City Council.**

**Mayor Hunt opened the public hearing and advised that no one signed up to speak.**

**A motion was made by Councilmember Gary Roden, seconded by Mayor Pro Tem Nancy Yingling, to close the Public Hearing and approve this agenda item, subject to the following conditions:**

**1) There may be additional comments at the time of Building Permit and Detail Engineering Review; and**

**2) Replat of Lot 1R-8 indicating the following, must be approved and filed with Dallas County prior to construction of this phase:**

**a. Lot 1R-8X as a common area lot for the parking lot and the incorporation of this property of the Property Owners Agreement, and**

**b. the establishment of the mutual access easement from Private Drive "B" to the office tract to the north within Lot1R-8R.**

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

- 12.** Consider approval of an Ordinance amending Chapter 9 adding Article 9-29, Short Term Rentals; providing for regulations for the registration and use of short term rentals; providing for definitions, providing for inspections; providing for restrictions; providing for brochure and safety requirements; providing for neighborhood notification; providing for violations and penalties; providing for a sunset review; providing a repealing clause; providing a savings clause; and providing for an effective date, and authorizing the Mayor to sign.

**Presentation: Marcie Diamond, Assistant Director of Planning, made a presentation to the City Council. Suzanne Arnold, Chief Building Official, answered questions of the City Council.**

**A motion was made by Councilmember Marvin Franklin, seconded by Mayor Pro Tem Nancy Yingling, that this agenda item be approved. The motion passed by an unanimous vote.**

Enactment No: OR 2018-1492

- 13.** Consider adoption of a Resolution directing publication of notice of intention to issue certificates of obligation for waterworks and sewer system projects; and authorizing the Mayor to sign.

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

**A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Wes Mays, that this agenda item be approved. The motion passed by an unanimous vote.**

Enactment No: RE 2018-0612.3

- 14.** Consider adoption of a Resolution directing publication of notice of intention to issue certificates of obligation for general government projects; and authorizing the Mayor to sign.

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

**A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Cliff Long, that this agenda item be approved. The motion passed by an unanimous vote.**

Enactment No: RE 2018-0612.4

- 15.** Consider approval of a Guaranteed Maximum Price Amendment to the Agreement between the City of Coppell (Owner) and Core Construction Services of Texas, Inc. (Construction Manager) for the construction of the City of Coppell Arts Center, in the amount of \$16,253,089.00, including Alternative 1; and authorizing the City Manager and CRDC President to sign.

**Presentation: Mike Land, City Manager, made a presentation to the City Council.**

**A motion was made by Councilmember Mark Hill. The motion failed due to a lack of a second.**

**Councilmember Marvin Franklin made a motion to amend the cost, with Councilmember Cliff Long seconding it, but it was withdrawn.**

**A third motion was made by Councilmember Marvin Franklin to keep the original recommendation, seconded by Councilmember Cliff Long, that this**

agenda item be approve. The motion passed by an unanimous vote.

At this time, Consent Agenda Item B was considered. See Consent Agenda Item B for motion details.

16. Consider adoption of a Resolution directing publication of notice of intention to issue certificates of obligation for a performing arts center project; and authorizing the Mayor to sign.

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

A motion was made by Councilmember Mays, seconded by Mayor Pro Tem Yingling, that this agenda item be approved. The motion passed by an unanimous vote.

Enactment No: RE 2018-0612.5

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

A motion was made by Mayor Pro Tem Nancy Yingling to nominate Councilmember Cliff Long as the next Mayor Pro Tem, seconded by Councilmember Gary Roden. The motion passed by an unanimous vote.

18. **City Manager Reports - Project Updates and Future Agendas**

City Manager Mike Land announced the Vision 2040 process has kicked off. There is a Vision 2040 portal on the City's webpage where citizens may complete a survey. There is also an open invitation to the Think Tank being held June 25th and 26th from 4:30-9 p.m.

Freeport Construction is still underway and on schedule. The anticipated completion date is October 2019.

Royal Lane is being repaved by Dallas County and has an anticipated completion date of mid-July.

Regarding future agendas, the Fire Department will be bringing forward the architect contract for Fire Station #4 out at the Wagon Wheel area.

19. **Mayor and Council Reports**

Report by City Council regarding recent activities.

Mayor Hunt reminded everyone that the Runoff Election is going on and encourages everyone to come and vote on Election Day, June 16th from 7am-7pm at Coppell Town Center.

Celebrate Coppell will be held June 30th from 4-11pm at Andy Brown East. Start your morning with a 5K and Fun Run. We have partnered with Get You In Shape to host the 9th Annual Coppell 5K benefitting Special Olympics Teams of Coppell. This community event features a 1-mile fun run, a timed 5K race and a virtual option and will begin at 8am. Then later that day, join us for



loads of activities, entertainment, plenty of food and fireworks! Stick around after the fireworks show for more music and fun! Visit the city's webpage for more details.

The City's annual Celebrate Coppell: Parade Down Parkway will begin at 9 AM on Wednesday, July 4. Wear your red, white, and blue and find a spot along the parade route to watch as all the floats pass by! The parade route begins on Samuel Blvd., proceeds west on Parkway Blvd., and ends at Town Center. Intersections along the parade route will be closed beginning at 8:50 AM and remain closed until all entries have passed.

Mayor Hunt also reminded everyone that there is no second meeting in June. The next City Council Meeting will be July 10th.

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

- A. North Central Texas Council of Governments - Councilmember Mays
- B. North Texas Commission - Mayor Pro Tem Yingling
- C. Historical Society - Councilmember Long

A. Councilmember Wes Mays announced the General Assembly Annual Meeting will be held on June 15th at the Hurst Conference Center. Registration for the event can be found on the NCTCOG website.

B. Councilmember Nancy Yingling announced NTC has a new President and CEO, Chris Wallace. Leadership North Texas begins its selection process next week for Class 10. LNTU 4 is accepting applications. Finally, the 47th Annual Members Luncheon will be held on September 18th.

C. Mayor Pro Tem Cliff Long reported the Historical Society does not meet in the summer. However, you will find them out at Pioneer Day on June 16th in Old Town from 9 a.m. - 1 p.m.

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

Mayor Hunt thanked Councilmember Marvin Franklin for all his years of service.

**22. Necessary Action from Executive Session**

City Attorney Robert Hager read the following motion from Executive Session into the record: Consider approval of hiring Lloyd Gosselink as special legal counsel and to authorize the filing of legal action on behalf of the City of Coppell against Charter Communications VI, LLC., d/b/a Spectrum Cable for underpayment of cable service franchise fees; and authorize the City Manager to execute a representation agreement. Councilmember Marvin Franklin made the motion with Councilmember Cliff Long seconding the motion. The motion passed by an unanimous vote.

**Adjournment**

There being no further business before the City Council, the meeting was

adjourned at 10:15 p.m.

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Karen Selbo Hunt, Mayor

ATTEST:

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Christel Pettinos, City Secretary