



City of Coppel, Texas

255 E. Parkway Boulevard
Coppel, Texas
75019-9478

Minutes City Council

Tuesday, December 12, 2023

5:30 PM

Council Chambers

WES MAYS
Mayor

JOHN JUN
Mayor Pro Tem

JIM WALKER
Place 1

KEVIN NEVELS
Place 4

BRIANNA HINOJOSA-SMITH
Place 2

BIJU MATHEW
Place 6

DON CARROLL
Place 3

MARK HILL
Place 7

MIKE LAND
City Manager

Present 8 - Wes Mays; Jim Walker; Brianna Hinojosa-Smith; Don Carroll; Kevin Nevels; John Jun; Biju Mathew and Mark Hill

Also present were Deputy City Managers Traci Leach and Kent Collins, City Attorney Bob Hager, and City Secretary Ashley Owens.

The City Council of the City of Coppel met in Regular Session on Tuesday, December 12, 2023, at 5:30 p.m. in the City Council Chambers of Town Center, 255 Parkway Boulevard, Coppel, Texas.

1. Call to Order

Mayor Wes Mays called the meeting to order, determined that a quorum was present and convened into the Executive Session at 5:30 p.m.

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

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

- A.** City Council shall convene into closed executive session pursuant to Section 551.071(1) of the Texas Government Code to seek legal advice from the City Attorney regarding City of Camden, et al. v. El DuPont De Nnemours and Company, Case Number 2:23-cv-03230-RMG; and, City of Camden, et al. 3M Company, Case No. 2:23-cv-03147-RMG, Case

Number 2:23-cv-03147-RMG.

Discussed under Executive Session

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

- B.** Discussion regarding real property located south of Bethel Road and east of Freeport Parkway.

Discussed under Executive Session

Section 551.076, Texas Government Code - Deliberation regarding Security Devices.

- C.** Discussion regarding security assessments or deployments relating to municipal buildings.

Discussed under Executive Session

- 3. Work Session (Open to the Public) 1st Floor Conference Room**
Citizen comments will not be heard during the Work Session, but will be heard during the Regular Session under Citizens' Appearance.

Mayor Wes Mays adjourned the Executive Session at 6:50 p.m. and convened into the Work Session at 6:52 p.m.

- A. Discussion regarding agenda items.
- B. Discussion regarding proposed Veterans Memorial.
- C. Discussion regarding the election and appointment of members to the Board of Directors of the Dallas and Denton Central Appraisal District.

Presented in Work Session

Regular Session

Mayor Wes Mays adjourned the Work Session at 7:30 p.m. and convened into the Regular Session at 7:35 p.m.

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

Pranamy Shrikant, with Allies in Community Interfaith group, gave the Invocation.

- 5. Pledge of Allegiance**

Mayor Wes Mays led the audience in the Pledge of Allegiance.

Presentations

- 6.** Recognition of Outgoing Boards and Commissions members.

Mayor Wes Mays presented certificates of appreciation to outgoing board members.

7. Citizens' Appearance

Mayor Wes Mays asked for those who signed up to speak:

1) David Schauf, 215 Westwind Drive, spoke in regards to Water and Sewer Rates.

8. Consent Agenda

Mayor Pro Tem John Jun was absent for the Consent Agenda vote.

A. Consider approval of the Minutes: November 14, 2023.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.

B. Consider approval of an Ordinance for PD-213R7-H, Live/Work, a zoning change request from PD-213R6-H (Planned Development-213 Revision 6 - Historic) to PD-213R7-H (Planned Development-213 Revision 7 - Historic)) to revise the Detail Site Plan for the five, two-story live/work buildings by enclosing the outdoor alcove area (70-sf); allowing up to 800-sf of retail use for each building; and allowing the west porches for buildings A, C, and E to have a covered gabled roof, 0.71 acres for property located at the northeast corner of S. Coppell Road and Heath Lane, and authorizing the Mayor to sign.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.

Enactment No: OR 91500-A-808

C. Consider approval of an Ordinance for PD-312-HC, Lovett Coppell Business Park, a zoning change request from HC (Highway Commercial) to PD-312-HC (Planned Development-312-Highway Commercial) to allow the Conceptual Plan for a 14,100-sf, 2-story office building and a 18,200-sf, 2-story office/retail building and a Detail Plan for a retention pond and a 257,600 square foot office/warehouse on approximately 17.7 acres of property located at the northeast corner of SH 121 and Business 121 and an amendment to the 2030 Comprehensive Master Plan from Freeway Commercial to Industrial Special District on the 13.2 acre office/warehouse portion, and authorizing the Mayor to sign.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.

Enactment No: OR 91500-A-809

- D.** Consider approval of a Resolution approving a Tax Abatement Agreement by and between the City of Coppell and Welbilt FSG US Holding, LLC; and authorizing the Mayor to sign.
- A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.**
- Enactment No: RE 2023-1212.1
- E.** Consider approval of an Economic Development Incentive Agreement by and between the City of Coppell and Welbilt FSG US Holding, LLC; and authorizing the Mayor to sign.
- A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.**
- F.** Consider approval for award of a design contract to Walter P. Moore; for construction plans of stabilization measures for two sections of streambank along Tributary G-1 of Grapevine Creek, and hydraulic modeling of the creek for a Federal Emergency Management Agency (FEMA) Letter of Map Revision (LOMR) floodplain update; in the amount of \$178,840; as budgeted in the Drainage Utility District Fund (DUD Fund), and authorizing the City Manager to sign necessary documents.
- A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.**
- G.** Consider approval of awarding a contract with C&J's Design Solutions of East Texas, LLC (TIPS # 22010701); for the construction of a sidewalk along E. Sandy Lake Road; in the amount of \$244,706.10; as provided for in the Infrastructure Maintenance Fund's Fund Balance; and authorizing the City Manager to sign any necessary documents.
- A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.**
- H.** Consider approval to enter into a design contract with Parkhill; for the Schematic Design (SD) architectural design of the City of Coppell Justice Center improvements; in the amount of \$319,874.00; funded from the Crime Control and Prevention District Fund; and authorizing the City Manager to sign any necessary documents.
- A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.**
- I.** Consider approval of awarding a contract to Next Gen Construction, LLC (TIPS #23010402); for the replacement of the internal Gutter System at

the Cozby Library and Community Commons; in the amount of \$140,000.00; as budgeted in Infrastructure Maintenance Fund; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.

- J.** Consider award for approval of a design contract change order with Parkhill; for the final architectural design of the City of Coppell Service Center Improvements; in the amount of \$590,949.18; funded from undesignated fund balance of the General Fund, then reimbursed in accordance with the Reimbursement Resolution approved on April 12, 2022; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.

- K.** Consider approval of awarding Bid #Q-1124-02 to Custard Construction; for the remodel of 500 Southwestern Blvd.; in the amount of \$227,112.53; as provided for in the General Fund assigned fund balance for Infrastructure Maintenance Fund (IMF) Traffic and Facility Projects; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.

- L.** Consider approval to purchase five (5) John Deere mowers and one (1) John Deere Gator from United Ag & Turf through Sourcewell 031121-DAC; for replacement of existing equipment; in the amount of \$107,892.27; with \$14,768.47 budgeted in the General Fund and \$93,123.80 budgeted in the Capital Replacement Fund; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.

- M.** Consider approval to purchase eight (8) Ford Police Interceptor Hybrid vehicles from Sam Pack's Five Star Ford; through BuyBoard #601-19; in the amount of \$446,710.31; as designated in the Crime Control and Prevention District's Fund Balance; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.

- N.** Consider approval to purchase three (3) Toyota RAV4 vehicles from

Silsbee Toyota through TIPS #210907; for replacement of existing Building Inspection vehicles; in the amount of \$95,781.90; as provided for in the Capital Replacement Fund; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.

- O.** Consider approval to purchase two (2) Toyota Tacoma vehicles from Silsbee Toyota through TIPS #210907; for replacement of existing Public Works vehicles; in the amount of \$82,203.70; as provided for in the Capital Replacement Fund; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.

- P.** Consider approval to purchase two (2) Toyota Tacoma vehicles from Silsbee Toyota through TIPS #210907; for replacement of existing Parks Operation vehicles, in the amount of \$81,948.70; as provided for in the Capital Replacement Fund; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.

- Q.** Consider approval of Change Order #1 with C&J's Designs and Solutions of East Texas, LLC; for the additional work for the construction of a sidewalk along Canyon Drive; in the amount of \$37,014.75; as provided for in the Infrastructure Maintenance Fund's Fund Balance; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.

- R.** Consider approval of a Resolution amending Resolution No. 010996.3 as amended, amending the Master Fee Schedule for Solid Waste Collection Fees per the contract with Republic Services, amending Chapter 12, Coppell City Code - Special Use permit, amending Chapter 13, Coppell City Code (Subdivision Regulations), and amending Chapter 3, Sections 3-1-15 and 3-2-4 Tapping City Water Mains and Tapping City Sewer Mains, respectively; and authorizing the Mayor to sign.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.

Enactment No: RE 2023-1212.2

- S.** Consider approval of an Ordinance amending the Code of Ordinances to correct a clerical error by repealing in its entirety Chapter 9 of the Code of Ordinances by amending Chapter 9 'General Regulations', Article 9-29, Short Term Rentals, to amend any reference to short term rentals and replacing it with the term lodging houses in said article in Sections 9-29-1 to 9-29-3; and by adding the definition of lodging houses; and replacing it with new Chapter 9 'General Regulations', Article 9-29, Lodging Houses; and authorizing the Mayor to sign.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, that Consent Agenda Items A through S be approved. The motion passed by an unanimous vote.

Enactment No: OR 2023-1603

End of Consent Agenda

- 9.** CONTINUED PUBLIC HEARING:
Consider approval of a zoning change request from C to PD-313-MF-2 (Planned Development 313-Multifamily-2) to allow a 120 unit, four (4) story, age restricted 55+ senior living apartment complex on approximately 4.4 acres located on the east side of S Belt Line Road and west side of Sanders Loop, approximately 660 feet south of E Belt Line Road and an amendment to the 2030 Comprehensive Master Plan from Mixed Use Community Center to Urban Residential Neighborhood.

Senior Planner Mary Paron-Boswell gave a presentation to City Council.

The applicant, Maxwell Fisher, 2502 Grandview Drive, Richardson, TX 75080, was present to answer any questions of City Council.

Mayor Wes Mays opened the Public Hearing and asked for those who signed up to speak:

- 1) Eli Dragon, 727 Bent Tree Ct, spoke in favor of the zoning change request.**
- 2) Chris Collins, 217 Glenwood, spoke in favor of the zoning change request.**
- 3) Kimberly Grubb, 841 Woodmoor, spoke against the zoning change request.**

Discussion ensued between Mayor and City Council.

A motion was made by Councilmember Brianna Hinojosa-Smith, seconded by Councilmember Kevin Nevels, to close the Public Hearing and approve the agenda item subject to the conditions presented.

Aye - 0

Nay - 7: Mayor Pro Tem John Jun, Councilmember Jim Walker, Councilmember Brianna Hinojosa-Smith, Councilmember Don Carroll, Councilmember Kevin Nevels, Councilmember Biju Mathew, Councilmember Mark Hill

The motion failed by an unanimous vote.

10.

PUBLIC HEARING:

Consider approval of a zoning change request from PD-311-LI (Planned Development- 311- Light Industrial) to PD-311R-LI (Planned Development- 311 Revised- Light Industrial) to allow an overhead tank line from the accessory tank farm structure to the existing office warehouse on approximately 8 acres on a portion of Lot 3R1, Block 8 located at 508 Wrangler Drive.

Senior Planner Mary Paron-Boswell gave a presentation to City Council.

The applicant, DPR Construction, 310 Comal Street, Suite 300, Austin, TX, 78702, was present to answer any questions of City Council.

Mayor Wes Mays opened the Public Hearing and stated that no one signed up to speak.

A motion was made by Councilmember Mark Hill, seconded by Councilmember Biju Mathew, to close the Public Hearing and approve the agenda item subject to the following conditions:

1. There may be additional comments during detailed engineering plan review.
2. PD Conditions:
 - a. To paint the pipe rack to match the building.

The motion passed by an unanimous vote.

Mayor Pro Tem John Jun was absent for the vote.

11.

PUBLIC HEARING:

Consider approval of PD-250R26R-H, Old Town Main Street (767 West Main St), a zoning change request from PD-250R26-H (Planned Development-250 Revision 26 - Historic) to PD-250R26R-H (Planned Development-250 Revision 26 Revised- Historic) to allow for a 775 square-foot ice cream shop and 2,359 square feet of speculative restaurant uses on approximately 0.25 acres of property located at 767 West Main Street, at the request of Diana Ahmad.

Development Services Administrator Matt Steer gave a presentation to City Council.

The applicant, Diana Ahmad, 137 Kingsridge Drive, was present to answer any questions of City Council.

Mayor Wes Mays opened the Public Hearing and the asked for those who signed up to speak:

- 1) Ann Dragon, 727 Bent Tree, spoke against the zoning change request.
- 2) Chris Collins, 217 Glenwood, spoke against the zoning change request.
- 3) Eli Dragon, 727 Bent Tree, spoke against the zoning change request.

Discussion ensued between Mayor and City Council.

A motion was made by Councilmember Mark Hill, seconded by Councilmember Biju Mathew, to close the Public Hearing and approve the agenda item subject to the following conditions:

1. The brick dumpster enclosure shall be located in the middle of the lot, adjacent to the alley.
2. A grease trap shall be installed sufficiently sized to accommodate both restaurant users.
3. Redesign the “Mr. Henry’s” can sign to an externally illuminated, white aluminum panel.
4. Final signage design for the speculative restaurant shall be allowed to be approved administratively by the Director of Community Development.
5. No deliveries shall be made between the hours of 10 p.m. and 6 a.m.

The motion passed by the following vote:

Aye - 4: Councilmember Jim Walker, Councilmember Don Carroll, Councilmember Biju Mathew, Councilmember Mark Hill

Nay - 2: Councilmember Brianna Hinojosa-Smith, Councilmember Kevin Nevels

Mayor Pro Tem John Jun was absent for the vote.

- 12.** Consider approval of an Ordinance amending Chapter 3 of the Code of Ordinances of the City of Coppell, by amending Sections 3-1-5 and 3-2-2; adjusting monthly water rates; adjusting monthly sewer rates; and authorizing the Mayor to sign.

Business Analyst Jerry Young gave a presentation to City Council.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Don Carroll, that the Agenda Item be approved. The motion passed by an unanimous vote.

Mayor Pro Tem John Jun was absent for the vote.

Enactment No: OR 2023-1604

- 13.** Consider approval of a Resolution casting a vote for the Board of Directors for the Dallas and Denton Central Appraisal Districts; and authorizing the Mayor to sign.

City Council declined to cast a vote for the Dallas and Denton Central Appraisal Districts Board of Directors, therefore no action was taken.

- 14.** Consider approval of a Resolution declaring a vacancy for City Council Place 5 and ordering a Special Election on May 4, 2024, to fill the unexpired term; and, authorizing the Mayor to sign and execute a Joint Election Agreement with Dallas and Denton Counties.

Considerar la aprobación de una Resolución que declare una vacante para el Puesto 5 del Concejo Municipal y ordene una Elección Especial

el 4 de mayo de 2024, para cubrir el mandato restante; y autorizar al alcalde a firmar y ejecutar un acuerdo electoral conjunto con los condados de Dallas y Denton.

NGHỊ QUYẾT CỦA HỘI ĐỒNG THÀNH PHỐ COPPELL, TEXAS, TUYÊN BỐ VỊ TRÍ CÒN TRỐNG VÀ BAN LỆNH TỔ CHỨC MỘT CUỘC BẦU CỬ ĐẶC BIỆT CHO ỦY VIÊN HỘI ĐỒNG VỊ TRÍ 5 CỦA HỘI ĐỒNG THÀNH PHỐ COPPELL TEXAS ĐỂ BỔ SUNG VỊ TRÍ CÒN TRỐNG CỦA NHIỆM KỲ CHƯA HẾT HẠN; QUY ĐỊNH VIỆC QUẢN LÝ BỞI CÁC NHÀ ĐIỀU HÀNH BẦU CỬ QUẬN DALLAS VÀ DENTON; QUY ĐỊNH GIÁM KHẢO CHỦ TRÌ BẦU CỬ VÀ GIÁM KHẢO CHỦ TRÌ THAY THẾ; QUY ĐỊNH BỎ PHIẾU SỚM; CUNG CẤP ĐƠN XIN LÁ PHIẾU BẦU QUA THƯ; CUNG CẤP ĐIỀU KHOẢN CÓ HIỆU LỰC VÀ CUNG CẤP NGÀY CÓ HIỆU LỰC.

City secretary Ashley Owens gave a presentation to City Council.

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Jim Walker, that the Agenda Item be approved. The motion passed by an unanimous vote.

Enactment No: RE 2023-1212.3, 2023-1212.3SP, 2023-1212.3VT

15. City Manager Reports, Project Updates, Future Agendas, and Direction from Work Session

City Manager Mike Land gave the following project updates:

The Duck Pond Park Improvements - This project is at approximately 80% completion. The contractor continues to complete various items around the park such as grading, backfill, and stone grouting. They are also continuing to complete the playground surface replacement work.

S. Belt Line – The northbound lanes at Hackberry will be opened by Friday and they will begin working on the southbound lanes.

DART - Work is continuing on installing track on Moore Road, which is expected to be fully opened by December 22nd.

16. Mayor and Council Reports on Recent and Upcoming Events.

Come celebrate the holidays and sing along with the Coppell Community Chorale, featuring the Coppell Children's Chorus, on Saturday, December 16th beginning at 5 PM at the Coppell Arts Center. It's fun for the whole family! Tickets can be purchased at coppellartscenter.org.

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

Councilmember Biju Mathew reminded Mayor, City Council, and the viewing audience that the Coppell Historical Society & Museum is open and available Monday through Friday 11 a.m. to 5 p.m. and Saturday, 10 a.m. to 1 p.m.

Mayor Wes Mays thanked all who participated in the Mayor's Red Kettle Challenge through the Salvation Army.

18. Necessary Action from Executive Session

City Attorney Bob Hager read the following motion into the record:

A motion was made by Councilmember Kevin Nevels, seconded by Councilmember Brianna Hinojosa-Smith, to ratify the execution of opt-out documents for a class action settlement in Case Number 2:23-cv-03230-RMG; and City of Camden, et al. 3M Company, Case No. 2:23-cv-03147-RMG, Case Number 2:23-cv-03147-RMG be approved. The motion passed by an unanimous vote.

19. Adjournment

There being no further business before the City Council, the meeting was adjourned at 10:27 p.m.

Wes Mays, Mayor

ATTEST:

Ashley Owens, City Secretary