



# City of Coppel, Texas

255 Parkway Boulevard  
Coppel, Texas 75019-9478

## Minutes City Council

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Tuesday, February 24, 2015

6:00 PM

Council Chambers

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### AMENDED AGENDA

**KAREN HUNT**  
Mayor

**MARVIN FRANKLIN**  
Mayor Pro Tem

**CLIFF LONG**  
Place 1

**GARY RODEN**  
Place 4

**BOB MAHALIK**  
Place 2

**NANCY YINGLING**  
Place 5

**WES MAYS**  
Place 3

**MARK HILL**  
Place 7

**CLAY PHILLIPS**  
City Manager

Also present were City Manager Clay Phillips, Deputy City Managers Mario Canizares and Mike Land, Deputy City Secretary Jean Dwinell, and City Attorney Robert Hager.

The City Council of the City of Coppel met in Regular Called Session on Tuesday, February 24, 2015, at 6:00 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 6:00 p.m.

**Present** 8 - Karen Hunt; Cliff Long; Bob Mahalik; Wes Mays; Gary Roden; Marvin Franklin; Mark Hill and Nancy Yingling

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

Mayor Hunt convened Executive Session at 6:08 p.m.

**Section 551.087, Texas Government Code - Economic Development Negotiations.**

A. Discussion regarding economic development prospects south of Dividend and east of Freeport Parkway.

B. Discussion regarding economic development prospects south of Bethel Road and west of S. Coppel Road.

City Council convened into closed executive session pursuant to Section 551.087 of the Texas Government Code to discuss economic development prospects south of Dividend and east of Freeport Parkway and prospects south of Bethel Road and west of S. Coppel Road.

Discussed under Executive Session.

Mayor Hunt adjourned Executive Session at 6:54 p.m.

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

Mayor Hunt convened the Work Session at 6:56 p.m.

A. Discussion regarding the Comprehensive Annual Financial Report for Fiscal year ending September 30, 2014.

B. Discussion regarding the approval of awarding Bid #Q-0115-01 "Tax 2012B Edgewood Drive and Highland Meadow Reconstruction" project and enter into an Agreement with CD Builders, Inc. in the amount of \$2,376,151.00, and approval of an incentive bonus amount up to an additional \$97,500.00 for a total award of \$2,473,651.00; as budgeted from ¼ Cent Sales Tax revenue; and authorizing the City Manager to sign any necessary documents.

C. Discussion regarding the approval of awarding Bid #Q-0115-02 "Tax 2013B and Tax 2013C Whispering Hills Drive Reconstruction" project and enter into an Agreement with McMahon Contracting, L.P. in the amount of \$2,256,621.87, and approval of an incentive bonus amount up to an additional \$97,500.00 for a total award of \$2,354,121.87; as budgeted from ¼ Sales Tax revenue; and authorizing the City Manager to sign any necessary documents.

D. Discussion regarding Agenda Items.

Presented in Work Session.

Mayor Hunt adjourned the Work Session at 7:32 p.m.

**4. Regular Session**

Mayor Hunt reconvened the Regular Session at 7:41 p.m.

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

Tina Brown, Missions Director, GracePoint Church, gave the invocation.

**6. Pledge of Allegiance**

Mayor Hunt and the City Council led the Pledge of Allegiance.

**7. Presentations**

A. Annual State of the Court Address presented by the Honorable Marian Moseley.

The Honorable Judge Marian Moseley introduced the other two Municipal Court Judges, The Honorable Kim Nesbitt and The Honorable Terry Landwehr, as well as the Court Administrator Rosie Caballero. Judge Moseley presented information regarding the types of violations handled through the Municipal Court. She gave statistics for the last year regarding the number of pleas, trials, dockets, arrest warrants, and cases filed. Judge Moseley reviewed information from the Teen Court, the recent Open House, changes that will possibly come from the Legislature this year, expressed her gratitude for the Court staff, and answered questions from the Council.

B. Annual Report by The Friends of the Coppell Library.

Ms. Karla Tabor gave an update on events that had been held by The Friends of the Library since their reinstatement in 2014, including participation in Earthfest, Bark in the Park, Oakfest, Farmers Market, book sales, book donations, and celebration of National Library Week. Ms. Tabor advised that \$57,000 had been donated to the Alana fund to be used in the Kids section of the Library and that they are very excited about the newly renovated Library. Ms. Tabor answered questions from the Council.

C. Presentation of Achievement of Library Excellence Award.

Library Director Vicki Chiavetta introduced the Bedford Library Director Marie Redburn. Ms. Redburn presented Ms. Chiavetta with the Achievement of Library Excellence Award and advised that only 39 Libraries in the State of Texas received this award. Ms. Chiavetta thanked the Library Staff and other City departments and also thanked the Mayor and Council for their support.

**8. Citizens' Appearance**

There was no one present wishing to speak.

**9. Consent Agenda**

A. Consider approval of the minutes: February 10, 2015.

A motion was made by Council Member Gary Roden, seconded by Council Member Wes Mays, that Agenda Items A-F be approved on the Consent Agenda. The motion passed by a unanimous vote.

**Aye:** 7 - Councilmember Cliff Long; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Mayor Pro Tem Marvin Franklin; Councilmember Mark Hill and Councilmember Nancy Yingling

B. Consider approval of an Interlocal Agreement between the City of Coppell and North Central Texas Council of Governments (NCTCOG),

to establish an agreement with Government Payment Services, (GovPay) for electronic warrant payment services, and authorizing the Mayor to sign all necessary documents.

**A motion was made by Council Member Gary Roden, seconded by Council Member Wes Mays, that Agenda Items A-F be approved on the Consent Agenda. The motion passed by a unanimous vote.**

**Aye:** 7 - Councilmember Cliff Long; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Mayor Pro Tem Marvin Franklin; Councilmember Mark Hill and Councilmember Nancy Yingling

C. Consider approval of an award of bid and enter into contract for turf mowing with VMC Landscape Services, through an interlocal purchasing agreement with the Town of Addison, as budgeted; and, authorizing the City Manager to execute the necessary documents.

**A motion was made by Council Member Gary Roden, seconded by Council Member Wes Mays, that Agenda Items A-F be approved on the Consent Agenda. The motion passed by a unanimous vote.**

**Aye:** 7 - Councilmember Cliff Long; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Mayor Pro Tem Marvin Franklin; Councilmember Mark Hill and Councilmember Nancy Yingling

D. Consider approval of a Resolution amending Resolution No. 010996.3 as amended, amending the Master Fee schedule for Rolling Oaks Memorial Center Fees and authorizing the Mayor to sign.

**A motion was made by Council Member Gary Roden, seconded by Council Member Wes Mays, that Agenda Items A-F be approved on the Consent Agenda. The motion passed by a unanimous vote.**

**Aye:** 7 - Councilmember Cliff Long; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Mayor Pro Tem Marvin Franklin; Councilmember Mark Hill and Councilmember Nancy Yingling

Enactment No: 20150224.1

E. Consider approval of Change Order Number Three to the Northlake Dam project in the amount of \$150,629.00 with Archer Western Construction, LLC; and authorizing the City Manager to sign any necessary documents.

**A motion was made by Council Member Gary Roden, seconded by Council Member Wes Mays, that Agenda Items A-F be approved on the Consent Agenda. The motion passed by a unanimous vote.**

**Aye:** 7 - Councilmember Cliff Long; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Mayor Pro Tem Marvin Franklin; Councilmember Mark Hill and Councilmember Nancy Yingling

F. Consider approval of an Ordinance amending Article 8-3, Parking, Section 8-3-1(A) of the Code of Ordinances by adding a subsection to make it unlawful to stop, stand, or park a vehicle at all times on portions of Houston Street and Travis Street; and authorizing the

Mayor to sign any necessary documents.

**A motion was made by Council Member Gary Roden, seconded by Council Member Wes Mays, that Agenda Items A-F be approved on the Consent Agenda. The motion passed by a unanimous vote.**

**Aye:** 7 - Councilmember Cliff Long; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Mayor Pro Tem Marvin Franklin; Councilmember Mark Hill and Councilmember Nancy Yingling

Enactment No: 2015-1408

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

- 10.** Consider approval of the Comprehensive Annual Financial Report for the fiscal year ending September 30, 2014.

**Finance Director Jennifer Miller introduced Mr. Ben Kohnle with Grant Thornton, LLP. Mr. Kohnle thanked the staff for their assistance with the audit process and rendered an unmodified clean audit with no unresolved issues.**

**A motion was made by Councilmember Bob Mahalik, seconded by Councilmember Cliff Long to approve the Comprehensive Annual Financial Report for the fiscal year ending September 30, 2014. The motion passed by a unanimous vote.**

**Aye:** 7 - Councilmember Cliff Long; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Mayor Pro Tem Marvin Franklin; Councilmember Mark Hill and Councilmember Nancy Yingling

- 11.** Consider approval of an Ordinance of the City of Coppel, Texas, approving an amendment to Ordinance No. 2014-1394, the budget for the Fiscal Year October 1, 2014 through September 30, 2015, and authorizing the Mayor to sign.

**Finance Director Jennifer Miller explained the proposed budget amendments and answered questions of the Council.**

**A motion was made by Mayor Pro Tem Marvin Franklin, seconded by Councilmember Wes Mays to approve Ordinance No. 2015-1409, approving an amendment to Ordinance No. 2014-1394, the budget for Fiscal Year October 1, 2014 through September 30, 2015, and authorizing the mayor to sign. The motion passed by a unanimous vote.**

**Aye:** 7 - Councilmember Cliff Long; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Mayor Pro Tem Marvin Franklin; Councilmember Mark Hill and Councilmember Nancy Yingling

Enactment No: 2015-1409

- 12.** Discussion regarding the approval of awarding Bid #Q-0115-01 "Tax 2012B Edgewood Drive and Highland Meadow Reconstruction" project and enter into an agreement with C.D. Builders, Inc. in the amount of \$2,376,151.00, and approval of an incentive bonus amount up to an additional \$97,500.00 for a total award of \$2,473,651.00; as budgeted from ¼ Cent Sales Tax revenue; and authorizing the City

Manager to sign any necessary documents.

Assistant Director of Public Works Keith Marvin read Items 12 and 13 into the record, introduced Jamie Brierton, the City's new Capital Improvement Project Coordinator, and explained the two projects proposed in Items 12 and 13. He advised that there have been meetings with residents, for each project, to introduce contractors, that there would be significant drainage improvements on the Edgewood Drive project along with widening the alley entrances for easier navigation by garbage trucks. He further advised that the Whispering Hills Drive reconstruction project would include narrowing the street and adding sidewalks.

Discussion ensued regarding the timing of the projects, the sidewalk location on the Whispering Hills Drive project, incentives offered for timely completion, and working with the residents and the post office regarding mail delivery during the time of construction.

A motion was made by Councilmember Wes Mays, seconded by Councilmember Nancy Yingling to approve awarding Bid #Q-0115-01 "Tax 2012B Edgewood Drive and Highland Meadow Reconstruction " project and enter into an agreement with CD Builders in the amount of \$2,376,151.00, and approval of an incentive bonus amount up to an additional \$97,500.00 for a total award of \$2,473,651.00; as budgeted from the 1/4 Cent Sales Tax revenue; and authorizing the City Manager to sign any necessary documents. The motion passed by a unanimous vote.

**Aye:** 7 - Councilmember Cliff Long; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Mayor Pro Tem Marvin Franklin; Councilmember Mark Hill and Councilmember Nancy Yingling

**13.**

Discussion regarding the approval of awarding Bid #Q-0115-02 "Tax 2013B and Tax 2013C Whispering Hills Drive Reconstruction" project and enter into an agreement with McMahon Contracting, L.P., Inc. in the amount of \$2,256,621.87, and approval of an incentive bonus amount up to an additional \$97,500.00 for a total award of \$2,354,121.87; as budgeted from 1/4 Sales Tax revenue; and authorizing the City Manager to sign any necessary documents.

Assistant Director of Public Works Keith Marvin read Items 12 and 13 into the record, introduced Jamie Brierton, the City's new Capital Improvement Program Coordinator, and explained the two projects proposed in Items 12 and 13. He advised that there have been meetings with residents, for each project, to introduce contractors, that there would be significant drainage improvements on the Edgewood Drive project along with widening the alley entrances for easier navigation by garbage trucks. He further advised that the Whispering Hills Drive reconstruction project would include narrowing the street and adding sidewalks.

Discussion ensued regarding the timing of the projects, the sidewalk location on the Whispering Hills Drive project, incentives offered for timely completion, and working with the residents and the post office regarding mail delivery during the time of construction.

A motion was made by Councilmember Wes Mays, seconded by Councilmember Nancy Yingling to approve awarding Bid #Q-0115-02 "Tax

2013B and Tax 2013CF Whispering Hills Drive Reconstruction" project and enter into an Agreement with McMahon Contracting, L.P., Inc. in the amount of \$2,256,621.87, and approval of an incentive bonus amount up to an additional \$97,500.00 for a total award of \$2,354,121.87; as budgeted from 1/4 Sales Tax revenue; and authorizing the City Manager to sign any necessary documents. The motion passed by a unanimous vote.

**Aye:** 7 - Councilmember Cliff Long; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Mayor Pro Tem Marvin Franklin; Councilmember Mark Hill and Councilmember Nancy Yingling

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

City Manager Clay Phillips reported that the City offices had been closed on Monday, February 23rd, due to weather, that the offices had opened late today, February 24th, due to weather, but would likely be open and begin at regular time on Wednesday, February 25th. He further reported that the 9-1-1 lines had been out for a while on Monday, February 23rd, but that all emergency vehicles had been stationed at different locations throughout the City. Mr. Phillips also reported that the final touches were being placed on the Volunteer Recognition event scheduled for April 30th. He explained that the event would be a casual, Food Truck event, closed to the public, with approximately 400 volunteers and spouses in attendance to honor the services of the City's volunteers. He finally reported that the next regular Council meeting would be held on March 24th with a Council Work Session scheduled for Tuesday, March 31st.

**15. Mayor and Council Reports**

Councilmember Cliff Long asked that the Council recognize the Historical Society and announced they held a Valentine Vintage Tea at the Kirkland House and would be holding an Archeological dig on March 21st at 9:00 a.m. at Heritage Park. He further announced that the dig held in the Fall brought out over 50 people and a musket ball and an amonite fossil were found.

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

There were no reports given.

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

Mayor Hunt announced the 2015 Beastfeast would be held on Saturday, February 28th at the Senior Center to benefit the benevolence fund.

**18. Necessary Action from Executive Session**

A motion was made by Mayor Pro Tem Marvin Franklin, seconded by Councilmember Bob Mahalik to amend the Economic Development Agreement by and between the City of Coppel and Coppel Dirtbed, LLC, to include an early building permit application and construction incentive equivalent to five percent (5%) of the annual tax abatement on real and personal property conditioned on the following:

1. Application by Coppel Dirtbed, LLC, for a building permit for two

restaurants totalling 7,000 square feet, located at 505 Houston Street within 60 days of execution of the Agreement.

2. Coppel Dirtbed, LLC, to begin construction within 90 days from issuance of a building permit for said 7,000 square foot restaurants at said location; and authorize the City Manager to execute such Agreement after approval as to form by City Attorney. The motion passed by a unanimous vote.

**Aye:** 7 - Councilmember Cliff Long; Councilmember Bob Mahalik; Councilmember Wes Mays; Councilmember Gary Roden; Mayor Pro Tem Marvin Franklin; Councilmember Mark Hill and Councilmember Nancy Yingling

### **Adjournment**

Mayor Hunt announced that there was no further business before the City Council and adjourned the meeting at 9:19 p.m.

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Karen Selbo Hunt, Mayor

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Christel Pettinos, City Secretary