



City of Coppel, Texas

255 Parkway Boulevard
Coppel, Texas 75019-9478

Minutes City Council

Tuesday, November 10, 2015

5:30 PM

Council Chambers

KAREN HUNT
Mayor

GARY RODEN
Mayor Pro Tem

CLIFF LONG
Place 1

NANCY YINGLING
Place 5

BRIANNA HINOJOSA-FLORES
Place 2

MARVIN FRANKLIN
Place 6

WES MAYS
Place 3

MARK HILL
Place 7

CLAY PHILLIPS
City Manager

Present 8 - Karen Hunt;Cliff Long;Brianna Hinojosa-Flores;Wes Mays;Gary Roden;Marvin Franklin;Mark Hill and Nancy Yingling

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

The City Council of the City of Coppel met in Regular Called Session on Tuesday, November 10, 2015, 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 Executive Session at 5:38 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 Bethel Road and east of S. Coppel Road.

Discussed under Executive Session

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

- B.** Consultation with City Attorney to seek legal advice concerning franchise utility easements.

Discussed under Executive Session

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

Mayor Hunt adjourned the Executive Session at 6:13 p.m. and convened into the Work Session at 6:15 p.m.

- A. Discussion regarding the Counties Appraisal Districts' Board of Directors.
- B. Discussion of Board/Commission appointments.
- C. Discussion regarding sign zones.
- D. Discussion regarding water and sewer rates.
- E. Discussion of Agenda Items.

Presented in Work Session

Regular Session

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

4. Invocation 7:30 p.m.

Police Chaplain Steve Gibson gave the Invocation.

5. Pledge of Allegiance

The Police Honor Guard posted the colors and led those present in the Pledge of Allegiance.

6. Presentation of an award to a Coppell Police Department employee for services above and beyond the call of duty.

Mayor Hunt read the City Council proclamation for the Star of Texas Award into the record and presented the same to Detective Steve Hayes. Police Chief Mac Tristan read a letter to Detective Hayes from US Senator John Cornyn and US Congressman Kenny Marchant recognizing the resolution from Governor Abbott's Office. Maria Alvarado, with the Peace Officers Angel Foundation, submitted Detective Hayes' name to the Governor's Office and presented him with the Star of Texas Award.

A motion was made by Councilmember Brianna Hinojosa-Flores, seconded by Councilmember Marvin Franklin, that this Agenda Item be approved. The motion passed by an unanimous vote.

7. Citizens' Appearance

Mayor Hunt asked for those who signed up to speak:

1) John McCullough, 933 Parker Dr., spoke in regards to the Denton Creek erosion in his backyard.

2) Justin Raley, 929 Parker Dr., also spoke in regards to the Denton Creek erosion and asked for assistance from the City Council to prevent additional erosion for the homeowners.

3) Tasha Greenberg, 109 Dickens Dr., spoke in regards to the nuisance noise at the Tom Thumb shopping center behind her house in Chaucer Estates.

8. Consent Agenda

A. Consider approval of the minutes: October 27, 2015.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Nancy Yingling, that Consent Agenda Items A-G be approved. The motion passed by an unanimous vote.

B. Consider approval of an Ordinance for Case No. PD-250R21-H, Old Town Addition (Main St), Roots Coffee House, a zoning change from PD-250R18-H & PD-250R19-H (Planned Development-250 Revision 18-Historic & Planned Development-250 Revision 19-Historic) to PD-250R21-H (Planned Development-250 Revision 21-Historic), to amend the Concept Plan and Detail Site Plans to allow the development of a retail/restaurant and a 2nd floor residence totaling 7,818 square feet on approximately 0.24 acres of property located at the northeast corner of Main Street and Houston Street at the request of Christian Hemberger, being represented by William Peck, William Peck & Associates, Inc. and authorizing the Mayor to sign.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Nancy Yingling, that Consent Agenda Items A-G be approved. The motion passed by an unanimous vote.

Enactment No: ORD 91500-A-679

C. Consider approval of an Ordinance for Case No. PD-281-LI, Park West Crossing, Lots 2-5, Block A, a zoning change from LI (Light Industrial) to PD-281-LI (Planned Development-281-Light Industrial), to allow the development of four (4) office/warehouse buildings containing a total of 304,200 square feet on 24.06 acres of property located on the south side of Southwestern Boulevard, approximately 700 feet east of Freeport Parkway at the request of ML Realty Partners, LLC, being represented by B. David Littleton, Half Associates and authorizing the Mayor to sign.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Nancy Yingling, that Consent Agenda Items A-G be approved. The motion passed by an unanimous vote.

Enactment No: ORD 91500-A-680

- D.** Consider renewal of an Interlocal Government Agreement with Dallas County Health and Human Services for mosquito spraying; effective October 1, 2015 through September 30, 2016; in an amount not to exceed, \$50,000.00; as budgeted in general funds; and authorizing the Mayor to sign any necessary documents.
- A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Nancy Yingling, that Consent Agenda Items A-G be approved. The motion passed by an unanimous vote.**
- E.** Consider approval of Texas Multiple Award Schedule (TXMAS) Proposal #TXMAS-5-03FAC020 to Johnson Controls Inc. for the Service Center HVAC Upgrade, Fleet Bay HVAC Upgrade, and Service Center Metasys Controls in the total amount of \$312,164.09; as budgeted in general fund; and authorizing the City Manager to sign any necessary documents.
- A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Nancy Yingling, that Consent Agenda Items A-G be approved. The motion passed by an unanimous vote.**
- F.** Consider approval of a renewal contract with Nortex Concrete Lifting and Stabilization, Inc., to perform annual street repair/mud jacking program, in the amount of \$75,000.00 through an Interlocal agreement with the City of Grand Prairie; as budgeted in the Infrastructure Maintenance Fund; and authorizing the City Manager to sign any necessary documents.
- A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Nancy Yingling, that Consent Agenda Items A-G be approved. The motion passed by an unanimous vote.**
- G.** Consider approval of a bid from Deere and Company, in the amount of \$58,329.30, for the purchase of a John Deere 8700A Precision Cut Fairway Mower, as budgeted, and authorizing the City Manager to sign the necessary documents.
- A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Nancy Yingling, that Consent Agenda Items A-G be approved. The motion passed by an unanimous vote.**

End of Consent Agenda

- 9.** Consider approval of an Ordinance for Case No. PD-213R4-H, Lost Creek PH II, a zoning change from PD-213R2-H (Planned Development-213 Revision 2-Historic) to PD-213R4-H (Planned Development-213 Revision 4-Historic), to amend the Concept Plan and attach a Detail Site Plan to allow three (3) residential/retail units on 0.344 acres of property located at the south east corner of S. Coppell Road and Heath Lane and authorizing the Mayor to sign.
- Presentation: Matt Steer, Planner, made a presentation to Council.**

Jason Rose, applicant, addressed questions of Council.

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

- 1) Robert Larsen, 530 Mobeley way Ct., spoke in opposition to business parking along the residential street.
- 2) Kay Smith, 526 Mobeley Way Ct., spoke in opposition to the case.

A motion was made by Mayor Pro Tem Gary Roden, seconded by Councilmember Cliff Long, to close the Public Hearing and approve this Agenda Item subject to the following conditions:

- 1) On Sheet A0, add to Site Plan Table regarding minimum front setback: "15 feet (see note #8)";
- 2) Address the appropriate conditions from other departments upon detailed plan review; and
- 3) Staff to create an ordinance which prohibits parking along Heath Lane;
- 4) Staff to review the covenants put together by the developer to assure there will always be a commercial use in each building and that the resident parking shall be restricted to no more than two hours outside the garages.

The motion passed 6-1 with Councilmember Hinojosa-Flores voting against the motion.

Enactment No: 91500-A-681

10.

PUBLIC HEARING: Consider approval of an Ordinance designating Acer Lodging, LLC, Reinvestment Zone No. 98 pursuant to Section 312.201 of the Property Redevelopment and Tax Abatement Act, and authorizing the Mayor to sign.

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

A motion was made by Councilmember Wes Mays, seconded by Councilmember Marvin Franklin, to close the Public Hearing and approve Agenda Items 10 and 11. The motion passed by an unanimous vote.

Enactment No: 2015-1423

11.

Consider approval of a Resolution approving a Tax Abatement Agreement between the City of Coppell and Acer Lodging, LLC, and authorizing the Mayor to sign.

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

A motion was made by Councilmember Wes Mays, seconded by Councilmember Marvin Franklin, to close the Public Hearing and approve Agenda Items 10 and 11. The motion passed by an unanimous vote.

Enactment No: 2015-1110.1

12.

Consider approval of an Ordinance abandoning a portion of a

drainage and utility easement on Lot 4 Block 1 of Northlake Woodlands Section 1 (526 Rolling Hills) subdivision; and authorizing the Mayor to sign any necessary documents.

Presentation: Mike Garza, Assistant Director of Engineering, made a presentation to Council.

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

Enactment No: 2015-1424

- 13.** Consider approval of a renewal contract with F & F Concrete, LLC, to perform annual street and alley repair program, in the amount of \$550,000.00 through an Interlocal agreement with the Town of Flower Mound; as budgeted in the Infrastructure Maintenance Fund; and authorizing the City Manager to sign any necessary documents.

Presentation: Keith Marvin, Assistant Director of Public Works, made a presentation to Council.

A motion was made by Councilmember Wes Mays, seconded by Councilmember Brianna Hinojosa-Flores, that this Agenda Item be approved. The motion passed by an unanimous vote.

- 14.** Consider approval of a Resolution authorizing the City Manager to enter into a contract, with Four Star Excavation, for emergency repairs to the 20" sanitary sewer force main on MacArthur Blvd. approximately 225 feet north of Belt Line Road; not to exceed a total amount of \$100,000.00; and authorizing the Mayor to sign.

Presentation: Keith Marvin, Assistant Director of Public Works, made a presentation to Council.

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

Enactment No: 2015-1110.2

- 15.** Consider approval of Change Order #4 to the South Freeport Parkway reconstruction project in the amount of \$58,803.49 with CD Builders, Inc; and authorizing the City Manager to sign any necessary documents.

Presentation: Mike Garza, Assistant Director of Engineering, made a presentation to 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.

- 16.** Consider approval to enter into an agreement with Lantek Communications for the installation of Audio/Video equipment for the

Cozby Library and Community Commons, through TCPN #R5192-TX-8139, in the amount of \$138,525.94 as budgeted; and authorizing the City Manager to sign any necessary documents.

Presentation: Vicki Chiavetta, Director of Library Services, made a presentation to Council.

A motion was made by Councilmember Nancy Yingling, seconded by Councilmember Brianna Hinojosa-Flores, that this Agenda Item be approved. The motion passed by an unanimous vote.

- 17.** Consider approval to enter into an agreement with NEMA 3 Electric, Inc. for the installation of data, AV and cable wiring for the Cozby Library and Community Commons, in the amount of \$58,225.15 as budgeted; and authorizing the City Manager to sign any necessary documents.

Presentation: Vicki Chiavetta, Director of Library Services, made a presentation to Council.

A motion was made by Councilmember Mark Hill, seconded by Councilmember Wes Mays, that this Agenda Item be approved. The motion passed by an unanimous vote.

- 18.** Consider approval of an Agreement between the City of Coppell (Owner) and EMJ Corporation (Construction Manager) for the construction of the City of Coppell Life Safety Park, and authorizing the City Manager and CRDC President to sign.

Presentation: Deputy City Manager Mike Land made a presentation to Council.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Nancy Yingling, that Agenda Items 18 and 19 be approved, including Alternative #3, which brings the cost to \$5,464,243. The motion passed by an unanimous vote.

- 19.** Consider approval of a Guaranteed Maximum Price Amendment to the Agreement between the City of Coppell (Owner) and EMJ Corporation (Construction Manager) for the construction of the City of Coppell Life Safety Park, in the amount of \$5,402,869 and authorizing the City Manager and CRDC President to sign.

Presentation: Deputy City Manager Mike Land made a presentation to Council.

A motion was made by Councilmember Marvin Franklin, seconded by Councilmember Nancy Yingling, that Agenda Items 18 and 19 be approved, including Alternative #3, which brings the cost to \$5,464,243. The motion passed by an unanimous vote.

- 20.** Consider appointments to the City's Boards and Commissions.

Presentation: Christel Pettinos, City Secretary, read the selected names into the record for the Boards and Commission appointments.

**ANIMAL SERVICES ADVISORY & APPEALS BOARD
2-YEAR REGULAR - Grace Adamson**

BOARD OF ADJUSTMENT - 2-YEAR REGULAR
Matthew Aycock
Robert McLeroy

2-YEAR ALTERNATE
Jim Adams
Harold Copher, Jr.

1-YEAR ALTERNATE
John Tomich

CONDUCT REVIEW BOARD - 2-YEAR REGULAR
Grace Adamson
Larry Best
Paul Colton
Marla Smith
Venky Venkatraman

COPPELL ECONOMIC DEVELOPMENT COMMITTEE - 2-YEAR REGULAR
Monica Diamond
Maggie Lucas
Don Carroll
David Novi

2-YEAR ALTERNATE - Sue Bird

LIBRARY BOARD - 2-YEAR REGULAR
Emily Nance
Patricia Nicks
Adrienne Morton

2-YEAR ALTERNATE
Jaimie Brill
Mahesh Guduru

LIBRARY BOARD - YOUTH ADVISOR - 1-YEAR STUDENTS
Tharani Muthukumar
Abhishek Mohan

PARKS AND RECREATION BOARD - 2-YEAR REGULAR
Lisa Dunham
Lisa Montes
Melinda Melnick

1-YEAR REGULAR (UNEXPIRED) - Hilary Hodgson

2-YEAR ALTERNATE - Earl Nesbitt

1-YEAR ALTERNATE (UNEXPIRED) - Janet Maccubbin

PARKS AND RECREATION BOARD - YOUTH ADVISOR - 1-YEAR STUDENTS

Kelly Rohe
Nihar Tatapudi

PLANNING AND ZONING COMMISSION - 2-YEAR REGULAR

Eddie Haas
Glenn Portman
Vijay Sarma
Sue Blankenship

SPECIAL COUNSEL - 2-YEAR REGULAR - Mark Holmstrup

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

21. Consider approval of Resolutions casting votes for the Board of Directors for the Dallas Central Appraisal District and the Denton Central Appraisal District; and authorizing the Mayor to sign.
- The City Council nominated Kevin Falconer for the Denton Central Appraisal District Board of Directors. The City Council did not wish to nominate anyone for the Dallas Central Appraisal District Board of Directors.
- 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.

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

City Manager Clay Phillips reported that the testing of the fireworks at Wagon Wheel was successful. The test was conducted for when Andy Brown Park is under construction. Mr. Phillips said parking will still be an issue, but the event is such a significant one that we had to postpone it.

Regarding future agendas, Mr. Phillips announced a Transportation Input Meeting will be held at 1 p.m. on November 16th and 6:30 p.m. on November 17th at the Senior Center. There will be a Council Worksession on December 7th and the last Council Meeting for the year on December 8th.

23. **Mayor and Council Reports**

- A. Report by Mayor Hunt on the Make A Child Smile Program.
- B. Report by Mayor Hunt on the Light Parade and Tree Lighting Ceremony.
- C. Report by Mayor Hunt on the 2nd Annual Angel of Hope Ceremony.

Mayor Hunt informed the public that the City of Coppell will once again sponsor the special holiday program called Make a Child Smile. This annual program benefits children living in the City of Coppell by providing holiday gifts for those families who need a little extra help. You may stop by the City Manager's Office in Town Center between now and December 8th to select a paper ornament. Then purchase a gift of clothing and/or toy for the child and return the wrapped gift to the City Manager's Office with the paper ornament

attached. The program goal is to provide at least one toy and one article of clothing for each child. City staff will deliver the gifts prior to Christmas. Ornaments are available for check-out Monday through Friday, 8 a.m.-5 p.m. You may also contact Ashley Owens or Amy Swaim in the City Manager's Office.

Mayor Hunt announced this year's Lighted Parade and Tree Lighting Ceremony will take place on Saturday, December 5th. The parade will begin at 6:30pm and end with the tree lighting ceremony, which will include holiday treats, photos with Santa and Mr. Claus, a visit from Rudolph and all his friends, and more! This year's theme is "A Storybook Holiday."

Mayor Hunt also reported on the 2nd annual Angel of Hope Ceremony to be held on Sunday, December 6th, from 7-7:30 p.m. at the Zach Thompson Foundation Children's Garden, located inside the Rolling Oaks Memorial Center. All are welcome to attend.

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

- A. North Texas Council of Governments - Mays
- B. North Texas Commission - Franklin/Yingling
- C. Historical Society - Long

Councilmember Mays reviewed the purpose of the North Central Council of Governments.

Councilmember Yingling announced the 2016 Board of Directors for North Texas Commission: Robert Hastings, Chair, and Stephen Tolerico, Vice Chair. She also announced the launching of Leadership North Texas University, a regional, graduate program for young, career adults. Applications will be accepted through November 13th at noon.

Councilmember Long reported on the Historical Society. Come make your own "old timey" ornaments on November 14th. They can then be hung on the community Christmas tree on December 1st in front of the historic windmill. On December 5th, the Kirkland House will have an open house with apple cider, chamber music on the porch and free tours.

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

Nothing to report.

At this time, Mayor Hunt recessed the Regular Session and reconvened into Work Session at 9:55 p.m. Mayor Hunt adjourned the Work Session at 10:31 p.m. and reconvened the Regular Session.

26. Necessary Action from Executive Session

Nothing to report.

Adjournment

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

Karen Selbo Hunt, Mayor

ATTEST:

Christel Pettinos, City Secretary