



City of Coppell, Texas

255 E. Parkway Boulevard
Coppell, Texas
75019-9478

Minutes City Council

Tuesday, December 11, 2018

5:30 PM

Council Chambers

KAREN HUNT
Mayor

CLIFF LONG
Mayor Pro Tem

BRIANNA HINOJOSA-SMITH
Place 2

NANCY YINGLING
Place 5

WES MAYS
Place 3

BIJU MATHEW
Place 6

GARY RODEN
Place 4

MARK HILL
Place 7

MIKE LAND
City Manager

Present 6 - Karen Hunt;Cliff Long;Brianna Hinojosa-Smith;Gary Roden;Biju Mathew and Mark Hill

Absent 2 - Wes Mays and Nancy Yingling

Also present were City Manager Mike Land, Deputy City Managers Traci Leach and Vicki Chiavetta, City Secretary Christel Pettinos and City Attorney Shelby Percy.

The City Council of the City of Coppell met in Regular Called Session on Tuesday, December 11, 2018 at 5:48 p.m. in the City Council Chambers of Town Center, 255 Parkway Boulevard, Coppell, Texas.

1. Call to Order

Mayor Hunt called the meeting to order, determined that a quorum was present and convened into the Work Session at 5:52 p.m.

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

Section 551.087, Texas Government Code - Economic Development Negotiations.

Discussion regarding economic development prospects north of Airline and west of Denton Tap.

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

- A. Discussion of the North Texas Emergency Communications Center (NTECC) Resolution.
- B. Discussion of connector trails for Andy Brown West Park.
- C. Discussion regarding Mural Ordinance for Old Town Coppell.
- D. Discussion of agenda items.

Presented in Work Session

Regular Session (Open to the Public)

Mayor Hunt adjourned the Work Session at 6:21 p.m. The City Council attended the Boards and Commission reception in the Atrium. Mayor Hunt reconvened the Regular Session at 7:30 p.m.

4. BOARD & COMMISSION RECEPTION IN ATRIUM FROM 6:30 P.M. TO 7:30 P.M.

5. Invocation 7:30 p.m.

Reverend Dale Patterson with Hackberry Creek Church gave the Invocation.

6. Pledge of Allegiance

7. Swearing in of Police Chief Danny Barton.

Mayor Hunt administered the oath of office to Police Chief Danny Barton.

8. Consider approval of Proclamation naming December 11, 2018, as "Kim Nesbitt Appreciation Day;" and authorizing the Mayor to sign.

Mayor Hunt read the proclamation into the record and presented the same to Municipal Court Judge Kim Nesbitt. A motion was made by Councilmember Hinojosa-Smith, seconded by Councilmember Roden, that this Agenda Item be approved. The motion passed by an unanimous vote.

9. Swearing in of newly appointed Board/Commission/Committee members.

Mayor Hunt administered the oath of office to the newly appointed Board and Commission Members.

10. Citizens' Appearance

Mayor Hunt advised that no one signed up to speak.

11. Consent Agenda

A. Consider approval of the minutes: November 13, 2018.

A motion was made by Councilmember Gary Roden, seconded by Councilmember Mark Hill, that Consent Agenda Items 11 A-D be approved. The motion passed by an unanimous vote.

- B.** Consider approval of an Ordinance for PD-273R2-C, 7 Eleven, a zoning change request from PD-273R-C (Planned Development-273 Revised-Commercial) to PD-273R2-C (Planned Development-273 Revision 2-Commercial) to establish a Detail Site Plan for a convenience store and gas pumps on 0.97 acres of property located at the northeast corner of S. Denton Tap and E. Belt Line Roads (890 S. Denton Tap Road); and authorizing the Mayor to sign.

A motion was made by Councilmember Gary Roden, seconded by Councilmember Mark Hill, that Consent Agenda Items 11 A-D be approved. The motion passed by an unanimous vote.

Enactment No: OR 91500-A-736

- C.** Consider approval of an Ordinance amending Chapter 6, Article 6-15, Section 6-15-7 (B) to repeal this subsection in its entirety to eliminate reference to real estate signs and sign zones; and authorize the Mayor to sign.

A motion was made by Councilmember Gary Roden, seconded by Councilmember Mark Hill, that Consent Agenda Items 11 A-D be approved. The motion passed by an unanimous vote.

Enactment No: OR 2018-1505

- D.** Consider approval of a purchase from Deere & Company, through Buyboard Contract No. 529-17, for four (4) utility vehicles: two (2) John Deere 2030 Diesel ProGators and two (2) John Deere HPX815E Diesel Gators, in the amount of \$84,852.12, as budgeted; and authorizing the City Manager to sign any necessary documents.

A motion was made by Councilmember Gary Roden, seconded by Councilmember Mark Hill, that Consent Agenda Items 11 A-D be approved. The motion passed by an unanimous vote.

End of Consent Agenda

- 12.** Consider approval of a Resolution amending Resolution No. 010996.3 as amended, amending the Master Fee Schedule for Solid Waste Collection Fees and authorizing the Mayor to sign.

Presentation: Jennifer Miller, Director of Finance, made a presentation to the City Council. Luay Rahil, Environmental Health Officer, was available for questions.

A motion was made by Mayor Pro Tem Cliff Long, seconded by Councilmember Bijou Mathew, that this Agenda Item be approved. The motion passed by an unanimous vote.

Enactment No: RE 2018-1211.1

13.

CONTINUED PUBLIC HEARING:

Consider approval of PD-259R-SF-7&9, Blackberry Farm, being a zoning change request from PD-259-SF-7&9 (Planned Development 259-Single Family-7 & 9) to PD-259R-SF-7&9 (Planned Development Revised 259-Single Family-7 & 9), to revise the Detail Site Plan and Conditions, to permit the development of 74 single-family lots and nine (9) common area lots on 54.8 acres of land located on the north side of Sandy Lake Road, approximately 750 feet northeast of Starleaf Road (extended), at the request of Denton Creek Land Company Ltd. and Blackberry Farm Ltd., being represented by L. Lynn Kadleck, Kadleck & Associates.

Presentation: Marcie Diamond, Assistant Director of Planning, made a presentation to the City Council. Kent Collins, Director of Public Works, also made a presentation to the City Council.

Terry Holmes, 225 E. SH 121, the applicant, answered questions of the City Council.

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

1) Ken Wagnan, 1064 Creek Crossing, lives on Denton Creek and is familiar with the Corps of Engineer releasing water from the Lewisville Dam. He is concerned with the removal of flood plain areas and developing homes in the area.

2) Marla Williams, 137 Hollywood Dr., expressed concerns with development in the flood plains. She reported on how this causes unintended flooding in other areas. She also expressed concern with kids crossing busy roads and no sidewalk. She requested the City put in a sidewalk or provide police enforcement.

Councilmember Hinojosa-Smith requested an Executive Session to ask questions of the City Attorney. Mayor Hunt recessed the Regular Session at 8:55 p.m. and convened into the Executive Session. Mayor Hunt adjourned the Executive Session at 9:15 p.m. and reconvened into the Regular Session.

A motion was made by Councilmember Gary Roden, seconded by Mayor Pro Tem Cliff Long, to close the Public Hearing and approve this item subject to the following conditions as requested by staff and to include Items S and T:

A. The exterior of a maximum of 18 single family residences in this development shall be permitted to be constructed with stucco exterior finish in lieu of masonry as provided in the Comprehensive Zoning Ordinance. Stucco as used in this ordinance shall be defined as continuous plaster or mortar of seven-eighths (7/8") of an inch thickness over wood frame with metal lath and elastomeric topcoat. All single family residences permitted to be of stucco material or plaster shall be of earth tone color.

B. Minimum 25-foot front building line shall be provided for all single family

lots.

C. Homes to be built on Lot 1 and Lot 20 in Block D shall have a minimum size of 2,800 square feet.

D. Sidewalks will be constructed at time of house construction on all single family lots.

E. No alley will be provided for any Lots.

F. Hardscapes consisting of masonry, wood, stucco where home is stucco, and/or metal courtyard wingwalls and screening to a maximum height of eight (8) feet shall be permitted in front yard, but must be behind the 25-foot front building setback. Additional clarification is required.

G. A drainage flood study approved by the City Engineer will be required with the submission of prior to the filing of a Final Plat for Phase 1 of for this development. Stream bank erosion protection will require approval by the US Army Corps of Engineers. No Final Plats may be filed or work shall commence prior to that approval.

H. There will be a minimum side yard setback of 5 feet on Lots 1 through 20, Block D.

I. The center island in the cul-de-sac at the east end of Persimmon Drive shall be constructed of cobblestone patterned concrete and shall be maintained by the Homeowners Association.

J. The Homeowners Association shall be responsible to maintain the stabilization along the creek bank of Denton Creek from erosion. Each Lot Owner shall be notified and provide a hold harmless agreement by separate instrument that the City and Developer are not liable for future erosion of the creek bank.

K. The Homeowners Association shall be responsible to maintain the storage basins/ponds being constructed with the development.

L. Tree mitigation fees of \$125,000 must be paid prior to construction.

M. Park fees are required in the amount of \$1285 per lot.

N. The creek crossing shall be a concrete single arch culvert with a stone pattern and textured concrete or natural stone veneer and a steel rail on a reinforced concrete base.

O. This project is not subject to the Erosion Hazard Setback per City Ordinance, Sec. 13-9-1, G- 20.

a. Staff will review of the Erosion Control Setback Exhibit prior to filing the Final Plat of Phase One.

P. Retaining Walls are to be constructed of stone and maintained by the lot owner. If the owner fails to maintain the wall, the Homeowners Association has the right to repair the wall and assess the lot owner. City has no responsibility

for the retaining walls on private property.

Q. There will be additional comments at the time of Detail Engineering Review.

R. Detail Site and Landscape Plan for Lot 2X and the screening wall entry feature shall be attached to this PD and shall be subject to:

a. The farm house at the subdivision entrance will not be used or occupied as a residence or retail business, except occasional sales of seasonal botanical gardening materials.

b. The development of Lot 2X and the entry features be constructed prior to the issuance of a building permit for the first home, other than a model home.

S. The developer be required to establish an HOA for 40 years.

T. Money shall be set aside for the conservancy prior to any development and/or permits being issued; in the amount of 54 equal payments.

The motion passed by an unanimous vote.

14.

Consider approval of an Ordinance for PD-296-LI, to approve a Detail Site Plan to allow an approximate 85,220 square foot office warehouse building; and authorizing the Mayor to Sign.

Presentation: Mary Paron-Boswell, Planner, made a presentation to 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 Councilmember Cliff Long, to close the Public Hearing and approve this Agenda Item subject to the following conditions:

1. Additional comments may be generated upon detail engineering review and building permit.

2. All landscape areas shall be irrigated.

3. Tree mitigations fees shall be waived, and a tree removal permit shall be required prior to the removal of any trees.

4. All signage must meet ordinance requirements.

5. Approve the following variances to the landscape ordinance:

a. To allow trees planted outside of the 15-ft landscape setback along Creekview Drive as shown.

b. No screening shrubs along the west property line adjacent to the parking area.

c. To allow the existing 27 trees within and additional 9 trees just outside of the western setback to account for the 36 required trees.

Mayor Pro Tem Cliff Long and Councilmember Gary Roden voted in favor of the motion. Councilmembers Brianna Hinojosa-Smith, Biju Mathew and Mark Hill voted against the motion. The motion failed.

A second 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. Additional comments may be generated upon detail engineering review and building permit.

2. All landscape areas shall be irrigated.

3. Tree mitigations fees shall be paid, and a tree removal permit shall be required prior to the removal of any trees.

4. All signage must meet ordinance requirements.

5. Approve the following variances to the landscape ordinance:

a. To allow trees planted outside of the 15-ft landscape setback along Creekview Drive as shown.

b. No screening shrubs along the west property line adjacent to the parking area.

c. To allow the existing 27 trees within and additional 9 trees just outside of the western setback to account for the 36 required trees.

The motion passed by an unanimous vote.

15. Consider approval of an Economic Development Agreement by and between the City of Coppell and Little Raymond's Print Shop, Inc., and authorizing the Mayor to sign.

Presentation: Mindi Hurley, Director of Community Development, made a presentation to the City Council.

A motion was made by Councilmember Brianna Hinojosa-Smith, seconded by Councilmember Gary Roden, that this Agenda Item be approved. The motion passed by an unanimous vote.

16. Consider approval of an Economic Development Agreement by and between the City of Coppell and GS 777 Freeport Parkway, LLC, and authorizing the Mayor to sign.

Presentation: Mindi Hurley, Director of Community Development, made a presentation to the City Council.

A motion was made by Councilmember Biju Mathew, seconded by Councilmember Mark Hill, that this Agenda Item be approved. The motion

passed by an unanimous vote.

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

Agenda Items 17 and 18 were read into the record and considered at the same time.

Presentation: Mindi Hurley, Director of Community Development, made a presentation to the City Council.

A motion was made by Councilmember Biju Mathew, seconded by Councilmember Gary Roden, that this Agenda Item be approved. The motion passed by an unanimous vote.

Enactment No: RE 2018-1211.2

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

Agenda Items 17 and 18 were read into the record and considered at the same time.

Presentation: Mindi Hurley, Director of Community Development, made a presentation to the City Council.

A motion was made by Councilmember Biju Mathew, seconded by Councilmember Gary Roden, that this Agenda Item be approved. The motion passed by an unanimous vote.

Enactment No: RE 2018-1211.3

19. Consider approval of two (2) Resolutions approving Amended and Restated Tax Abatement Agreements between the City of Coppell and Prologis, and authorizing the Mayor to sign.

Agenda Items 19 through 21 were read into the record and considered at the same time.

Presentation: Mindi Hurley, Director of Community Development, made a presentation to the City Council.

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

Enactment No: RE 2018-1211.4; RE 2018-1211.5

20. Consider approval of a Resolution approving the First Amendment to Tax Abatement Agreement between the City of Coppell and Prologis, and authorizing the Mayor to sign.

Agenda Items 19 through 21 were read into the record and considered at the

same time.

Presentation: Mindi Hurley, Director of Community Development, made a presentation to the City Council.

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

Enactment No: RE 2018-1211.6

- 21.** Consider approval of two (2) Resolutions approving Tax Abatement Agreements between the City of Coppell and Prologis, L.P., and authorizing the Mayor to sign.

Agenda Items 19 through 21 were read into the record and considered at the same time.

Presentation: Mindi Hurley, Director of Community Development, made a presentation to the City Council.

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

Enactment No: RE 2018-1211.7; RE 2018-1211.8

- 22.** Consider approval of an Economic Development Agreement by and between the City of Coppell and ATP SciencePty, Ltd., and authorizing the Mayor to sign.

Agenda Items 22 and 23 were read into the record and considered at the same time.

Presentation: Mindi Hurley, Director of Community Development, made a presentation to the City Council.

A motion was made by Councilmember Mark Hill, seconded by Mayor Pro Tem Cliff Long, that this Agenda Item be approved. The motion passed by an unanimous vote.

- 23.** Consider approval of a Resolution approving a letter of support for the creation of a Foreign Trade Zone to be located at 410 N. Freeport Parkway in Coppell, Texas, and authorizing the Mayor to sign.

Agenda Items 22 and 23 were read into the record and considered at the same time.

Presentation: Mindi Hurley, Director of Community Development, made a presentation to the City Council.

A motion was made by Councilmember Mark Hill, seconded by Mayor Pro Tem Cliff Long, that this Agenda Item be approved. The motion passed by an unanimous vote.

Enactment No: RE 20018-1211.9

24. City Manager Reports - Project Updates and Future Agendas

City Manager Mike Land reported the repairs at the intersection of Sandy Lake Road and Denton Tap Road are on-going and should be completed by 12/13. The radar speed assemblies and flashing signals have been installed at Sandy Lake Road and Winding Creek.

25. Mayor and Council Reports

Report by the City Council on recent and upcoming events.

Mayor Hunt reported on the following events:

Wreath Laying Ceremony – December 15th from 11am-12pm
Rolling Oaks Memorial Center will host a wreath laying ceremony to honor our veterans on Saturday, December 15, and would love to have you attend. The service begins promptly at 11am at the Pavilion. Please arrive early to ensure you don't miss anything.

The Coppell Republican Women raised funds to purchase 60 wreaths to recognize all the veterans buried at Rolling Oaks. As a part of the ceremony, wreaths will be laid to recognize each branch of the military, and then families will be given a wreath to place at their loved one's grave site.

The ceremony is a part of the international Wreaths Across America program, which lays wreaths at our National Cemeteries. Wreaths Across America has a mission to "Remember the Fallen, Honor those who Serve and Teach our Children the Value of Freedom.

New Year's Eve at the Library – December 31st from 11am-12:15pm
Can't stay up until midnight? Ring in the New Year with an early celebration! We'll have games, crafts, and a countdown to Noon! All ages welcome.

26. 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 - Councilmember Nancy Yingling

Councilmembers Wes Mays and Nancy Yingling were absent. Their committee reports will be given at the next City Council Meeting.

C) Mayor Pro Tem Cliff Long announced the Historical Society awarded two, \$1,000 scholarships to two Coppell High School students. Both students are active participants as docents with the Historical Society.

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

At this time, Mayor Hunt recessed the Regular Session and convened into the Executive Session at 9:55 p.m.

Mayor Hunt adjourned the Executive Session at 10:33 p.m. and reconvened into the Regular Session.

28. Necessary Action from Executive Session

Nothing to report.

Adjournment

There being no further business before the City Council, the Council Meeting was adjourned at 10:35 p.m.

Karen Selbo Hunt, Mayor

ATTEST:

Christel Pettinos, City Secretary