CARROLLTON CITY COUNCIL
REGULAR MEETING and WORKSESSION MINUTES

NOVEMBER 6, 2007

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, November 6, 2007, at 5:45 p.m. with the following members present: Mayor Becky Miller, Mayor Pro Tem Matthew Marchant, Deputy Mayor Pro Terry Simons, Councilmembers Tim Hayden, John Mahalik, Pat Malone, Larry Williams and Herb Weidinger. Also present were City Manager Leonard Martin, Assistant City Managers Beth Bormann, Marc Guy and Bob Scott, Director of Managed Competition Tom Guilfoy, Workforce Services Director Erin Rinehart, City Attorney Clayton Hutchins and Administrative Services Manager/City Secretary Ashley Mitchell.

* * * * PRE-MEETING / EXECUTIVE SESSION * * * *
5:45 P.M. – COUNCIL BRIEFING ROOM

1. Dinner

2. Mayor and Council **reports and information sharing.**

3. Receive **supplemental staff information** and responses to questions.

4. Council convened in **Executive Session at 6:50** pursuant to Texas Government Code:

- **Section 551.071** for private consultation with the City Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the City Attorney has a duty under the Texas Rules of Discipline and Professional conduct regarding confidential communication with the City Council.
- **Section 551.072** to discuss certain matters regarding real property.
- **Section 551.074** to discuss personnel matters.
- **Section 551.087** to discuss Economic Development.

5. Council **reconvened in open session at 6:52 p.m.** to consider action, if any, on matters discussed in the Executive Session. No action was taken.

* * * * WORKSESSION * * * *
6:00 P.M. – COUNCIL CHAMBERS

6. Briefing on **Indian Creek Golf Club Bunker Maintenance Project.**

Mayor Miller recessed the Worksession at 6:45 p.m.

INVOCATION by Clayton Hutchins, City Attorney

PLEDGE OF ALLEGIANCE by Mayor Pro Tem Marchant

PUBLIC FORUM

8. **Hearing of any citizen/visitor on items not listed on the regular meeting agenda.** Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed a maximum of 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

CONSENT AGENDA ***(*All items marked with a single asterisk are part of a Consent Agenda and require no deliberation by the Council. Each Council member has the prerogative of removing an item from this agenda so that it may be considered separately. Contracts and agreements are available in the City Secretary's Office.)***

Councilmember Williams moved approval of Consent Agenda Item No. 8 – 24A. Second by Councilmember Hayden. The vote was cast 7-0 in favor of the motion.

MINUTES

***8.** Consider approval of the **August 6, August 14, August 21, September 18 and October 2, 2007 Minutes.**

BIDS AND PURCHASES

***9.** Consider approval of Bid #07-050 for **Irrigation Supplies For The Parks Department To Various Vendors** through purchasing agreements with various vendors in an amount not to exceed $72,100.00.

***10.** Consider approval of the purchase of **Nine Replacement Vehicles For Various Departments To Various Vendors** through purchasing agreements with various vendors in an amount not to exceed $325,080.00.

***11.** Consider **Authorizing Park Terrace Addition Mill And Overlay Project To JRJ Paving** in an amount not to exceed $228,038.16.

CONTRACTS AND AGREEMENTS

***12.** Consider authorizing the City Manager to approve a **Contract With Santos Construction For The Alley Replacement 2007 Project** in an amount not to exceed $1,277,607.50.

***13.** Consider authorizing the City Manager to approve a **Contract With American Civil Constructors For The McInnish Baseball Fields 11-15 & Soccer Fields A-E Projects** in an amount not to exceed $2,336,000.00.

***14.** Consider authorizing the City Manager to approve a **Contract Amendment With C&P Engineering For Additional Design Services On The Water Line Replacement**

Project In Keller Springs From Davin To Marsh Lane in an amount not exceed $5,830.00 for a new contract amount not to exceed $128,880.00.

***15.** Consider authorizing the City Manager to approve an **Amendment To The Management Services Agreement With Evergreen Golf Alliance Limited (EAGL) For The Bunker And Drainage Maintenance Improvements** in an amount not to exceed $ 359,426.00.

ORDINANCES

***16.** Consider an **Ordinance Establishing A Mutual Boundary Line With The City of Plano And The Town of Hebron** for a 0.4468-acre tract of land on the west side of Marsh Lane, north of Plano Parkway. Case No. 11-07MD12/City of Carrollton.

***17.** Consider an **Ordinance Adopting The 2006 International Construction Codes.**

RESOLUTIONS

***18.** Consider a Resolution **Adopting The Transit Orientated Development (TOD) Infrastructure Study.**

***19.** Consider a Resolution **Adopting The Transit Oriented Development Parking Implementation Plan.**

***20.** Consider a Resolution **Casting A Vote To Appoint Scott Wheeler To The Dallas Central Appraisal District Board.**

***21.** Consider a Resolution **Authorizing Payment To Southwest Horizontal Drilling Services For Emergency Sanitary Sewer Repair.**

***22.** Consider a Resolution **Authorizing The City Manager To Acquire Unimproved Tracts Of Property For Public Purposes.**

***23.** Consider a Resolution **Authorizing The City Manager To Acquire Easements For The Beltline Road Aesthetic Program.**

***24.** Consider a Resolution **Recognizing A City Right-Of-Way Adjacent To Mustang Carrollton Properties, LTD Property.**

PUBLIC HEARINGS – INDIVIDUAL CONSIDERATION

25. Hold a public hearing and consider an **Ordinance On The Taxation Of Goods-In-Transit As Defined By Texas Tax Code 11.253 (a) (2), As Amended By House Bill 621, Enacted By The 80th Texas Legislature.**

Councilmember Malone moved to close the public hearing approve the proposed ordinance. Councilmember Williams seconded the motion. The vote was cast 7-0 in favor of the motion.

26. Hold a public hearing and **Introduce An Ordinance For The Proposed Annexation Of The Morris Tracts (Diamond Creek) Property.** The 5.1619-acre site is located on the

west side of Marsh Lane, north of Plano Parkway. Case No. 11-07MD4 Morris Tracts (Diamond Creek) Annexation/J. Craig Godfrey.

Deputy Mayor Pro Tem Simons moved to close the public hearing and approve the proposed ordinance. Councilmember Hayden seconded the motion. The vote was cast 7-0 in favor of the motion.

27. Hold a public hearing and consider an **Ordinance Approving An Amendment to PD-175 for Mustang Park**. The approximately 129-acre site is located at the southeast corner of Plano Parkway and Parker Road; and on the south side of Plano Parkway, west of the Burlington Northern and Santa Fe Railroad and is zoned PD-175 for Mixed uses. Case No. 09-07Z2 The Grove at Mustang Park/Chantal Kirkland.

Councilmember Williams moved to close the public hearing and approve the proposed ordinance. Councilmember Malone seconded the motion. The vote was cast 7-0 in favor of the motion.

28. Hold a public hearing and consider an **Ordinance Approving A Special Use Permit for A Gas Station With A Car Wash** for Shammy Man Car Wash and C-Store. The 0.9-acre site is located at the southeast corner of Park Boulevard and Midway Road and is zoned PD-54 for the (HC) Heavy Commercial District. Case No. 10-07SUP2 Shammy Man Car Wash and C-Store/Sean Neyses.

Councilmember Hayden moved to close the public hearing and approve the proposed ordinance. Deputy Mayor Pro Tem seconded the motion. The vote was cast 7-0 in favor of the motion.

29. Hold a public hearing and consider an **Ordinance Approving A Special Use Permit For The Downtown DART LRT Station**. The 4.977-acre site is located at the northwest corner of Belt Line Road and North Main Street and is zoned (TC) Transit Center District, Urban Core Subdistrict. Case No. 12-06SUP1 DART Downtown Carrollton Station/Karl Crawley.

Deputy Mayor Pro Tem moved to close the public hearing and approve the proposed ordinance. Councilmember Weidinger seconded the motion. The vote was cast 7-0 in favor of the motion.

30. ~~Hold a public hearing and consider **A Special Use Permit For The Trinity Mills DART LRT Station**. The 10.9-acre site is located at the southwest corner of Trinity Mills Road (President George Bush Turnpike) and Blanton Drive and is zoned (TC) Transit Center District, Urban Core Subdistrict. Case No. 12-06SUP2 DART Trinity Mills Station/Karl Crawley.~~

This item was pulled. The item is amended in #32.

31. Hold a public hearing and consider an **Ordinance Approving A Special Use Permit For The North Carrollton DART LRT Station**. The 7.6-acre site is located at the southwest corner of Frankford Road and Trade Center Drive and is zoned (LI) Light Industrial District. Case No. 12-06SUP3 DART North Carrollton Station/Karl Crawley.

Councilmember Mahalik moved to close the public hearing and approve the proposed ordinance. Councilmember Hayden seconded the motion. The vote was cast 7-0 in favor of the motion.

32. Hold a public hearing and consider an **ordinance approving a Special Use Permit for the Trinity Mills DART LRT Station**. The 10.9-acre site is located at the southwest corner of Trinity Mills Road (SH 190) and Blanton Drive and is zoned (TC) Transit Center District, Urban Core Subdistrict. Case No. 12-06SUP2 DART Trinity Mills Station/Karl Crawley

Councilmember Malone moved to close the public hearing and approve the proposed ordinance. Mayor Pro Tem Marchant seconded the motion. The vote was cast 7-0 in favor of the motion.

ATTEST:

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Ashley D. Mitchell, City Secretary Becky Miller, Mayor