CARROLLTON CITY COUNCIL
REGULAR MEETING and WORKSESSION MINUTES

SEPTEMBER 18, 2007

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, September 18, 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 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.

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

6. Briefing on **Beltline Road Aesthetic Options.**

Cesar Molina, Director of Engineering stated that in early 2007, under the direction of TxDOT, the Belt Line Rd improvements between Metrocrest and Webb Chapel were completed. With these improvements, the overall appearance of Belt Line Rd has been greatly enhanced. This project provided sidewalks throughout the corridor, including various areas such as between Kelly and Webb Chapel that previously did not have any sidewalks.

While these improvements have been generally well received, staff is considering providing additional amenities to this roadway to further enhance its aesthetic appeal. One area of concern is the south side of Belt Line Rd, between Hersey and Misty Lanes. In this area, residential homes back up to Belt Line Rd. As you can see in the attached pictures, weeds are now growing between the resident's fences and sidewalk or retaining wall.

Staff has come up with five options to address this issue.

Option one: City takes over maintenance responsibility of the one-foot gap between the sidewalk and/or retaining wall and sprays the area with a herbicide as needed. This is a low cost option which would cost $ 1,380 assuming six applications per year. This impacted cost would be borne by the city and can be absorbed within the Parks Maintenance Budget.

Option two: City takes over maintenance responsibility of the one-foot gap and installs a concrete cap over the area. The cost of this project is estimated at $10,000.

Option three: City takes over maintenance responsibility of the one-foot gap and installs a brick paver cap over the area. The cost of this project is estimated at $21,000. Under this option, the city would also have to spray the area with a herbicide. Assuming one application per year, the annual spraying cost would be $ 230.

Option four: City constructs a brick screening wall along this segment. This would require obtaining an additional five foot permanent easement to install the wall plus a five-foot temporary construction easement (or letter of permission) to work on private property. The estimated cost of this option is $220,000. With this option, staff would construct a concrete cap between the Belt Line Road face of the wall and the existing sidewalk. In some areas, this will effectively creating a much wider sidewalk. It is important to consider that under this option, staff would have to work with 13 property owners to obtain easements from all of them and it is possible that one or more may choice not to cooperate with the city. If so, Council would then have to make a decision to either stop the project or use eminent domain authority to acquire the easements.

Option five: Do nothing. Property owners are required to maintain the one-foot gap between their fences and the sidewalk or retaining wall. Staff would continue to enforce the ordinance and notify property owners whenever the area is in need of attention.

7. Discuss **Nominations To Various Appraisal District Board Of Directors.**

Bob Scott, Chief Financial Officer stated that the Property Tax Code, Section 6.03 requires that an election or appointment of members to the Board of Directors of an appraisal district be conducted in odd number years. The term of office is two years, beginning in even number years. The appointment is by majority of the respective taxing units entitled to vote and not by the majority of the quorum or by plurality vote.

Due to recent legislation that sets appraisal district boundaries by County, Carrollton will now have an opportunity to nominate and vote on the Board of Directors for the three County appraisal districts, Dallas, Denton and Collin.

Nominations for the Board of Directors must be done by resolution and submitted to the appropriate appraisal district by October 15, 2007. Thus, if the Council desires to make a nomination, the resolution will need to be approved at the October 2, 2007 Council Meeting.

The Property Tax Code specifies the qualifications for membership to the Board of Directors. These qualifications are:

- Must be a resident of the appraisal district for at least two years prior to the election.
- May be an elected official of an agency represented by the appraisal district.
- Cannot be an employee of any agency represented by the appraisal district.

Our current representative to the Dallas County Appraisal District is Scott Wheeler who was nominated by the Town of Addison in 2005.

Staff requests Council feedback on their desire to nominate a member to any of the appraisal districts' Board of Directors. Based on this feedback a resolution can be prepared for the October 2, 2007 meeting.

Council did not make a recommendation a this time.

8. Discuss **Recycling Of Computer Monitors & Televisions.**

Mr. Martin stated that Sharon Goddard of Keep Carrollton Beautiful has requested assistance with the recycling of computer monitors and TV's. Since 2004 they have not had to charge for this service, but due to the change in the reuse market, the vendor is charging $5.00 for each monitor or TV. Mrs. Goddard believes this is the responsibility of the city.

The impact of is unknown at this time. Mrs. Goddard is estimating that 1,000 or more monitors or TV's will be turned in.

Council agreed to reimburse the vendor for the cost of recycling monitors and televisions.

9. Discuss **City Council Calendar For 2008.**

Ms. Mitchell stated that approximately every six months, a calendar is prepared for Council review of upcoming meetings, holidays, conferences, retreats, etc. Because of the new Agenda Management System we will need to prepare a calendar for the next twelve months. Attached is the calendar for January 2008 through December 2009. Due to the holidays, spring break and conferences, the following meetings have been rescheduled:

January 1st rescheduled to January 8th because of New Year's Day
March 18th rescheduled to March 11th because of CFB-ISD and LISD Spring Break is scheduled for March 17-21
October 7th rescheduled to October 14th because of National Night Out

The calendar also reflects special events, city holidays, national and state conferences.
Council also needs to discuss the 2008 Boards and Commission Dinner. A date and location needs to be reserved.

Council concurred to not have a 2008 Boards and Commission dinner.

*** * * * EXECUTIVE SESSION * * * ***

4. Council will convened in **Executive Session at 6:32 p.m.** 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 will **reconvened in open session at 6:38 p.m.** to consider action, if any, on matters discussed in the Executive Session. No action was taken.

INVOCATION by Pastor Ron Dunton, Senior Pastor of Metrocrest Presbyterian Church

PLEDGE OF ALLEGIANCE by Boy Scout Troop #876.

PRESENTATIONS

10. Present a **Proclamation Recognizing Miss Teen United States, Javante Allegra Ingram.**

11. Present a **Proclamation Declaring September 29, 2007 as *Pink On The Square Day*.**

PUBLIC FORUM

12. **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.

There were none.

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.)***

Mayor Pro Tem Marchant moved approval of Consent Agenda Item No. 13 – 28. Second by Councilmember Simons. The vote was cast 7-0 in favor of the motion.

BIDS AND PURCHASES

***13.** Consider approval of Bid # 07-048 for **Replacement Sod for Projects Within The City to Brokers Grass** in an amount not to exceed $60,500.00.

***14.** Consider approval of Bid # 07-045 for **Supply Components For The Central Irrigation Control System to John Deere Landscape** in an amount not to exceed $120,000.00.

***15.** Consider approval of the purchase of **One Replacement Caterpillar Loader For The Streets & Drainage Division** through a Purchasing Agreement with Buy-board in an amount not to exceed $217,651.00.

***16.** Consider approval of purchase of **Various Shop Equipment For The Fleet Department from J-8 Equipment Co.** in an amount not to exceed $29,383.70.

***17.** Consider award of bid of **Property & Casualty Insurance To Various Vendors As Staff Recommended.**

CONTRACTS AND AGREEMENTS

***18.** Consider authorizing the City Manager to approve an **Engineering Design Services Contract with Binkley & Barfield, Inc. For Preparation Of Engineering Plans For Standridge Drive Street Improvements** in an amount not to exceed $110,000.00.

***19.** Consider authorizing the City Manager to approve a **Contract with AUI Contractors, Inc For The Design & Construction Of Fire Stations 3 & 4 And Fire Training Center Renovation** in an amount not to exceed $850,000.00.

ORDINANCES

***20.** Consider an Ordinance **Amending The Tax Increment Reinvestment Zone No. 1, Carrollton, Texas Regarding Terms For Board Of Directors.**

***21.** Consider an Ordinance **Amending Chapter 31, The Comprehensive Fee Schedule, To Include The Corrections And Fee Adjustments As Approved In The Fiscal Year 2007-08 Budget.**

***22.** Consider an Ordinance **Amending City Council Governance Policy And Rules And Procedures.**

RESOLUTIONS

***23.** Consider a Resolution **Authorizing The City Manager To Enter Into An Agreement With Senior Adult Services For Services Provided to Carrollton Citizens For The 2007-08 Fiscal Year** in an amount not to exceed $145,000.00.

***24.** Consider a Resolution **Authorizing The City Manager To Enter Into An Agreement With Metrocrest Social Service Center For Services Provided To Carrollton Citizens For The 2007-08 Fiscal Year** in an amount not to exceed $86,000.00.

***25.** Consider a Resolution **Authorizing The City Manager To Enter Into An Agreement With The State Of Texas Department Of Transportation (TXDOT) To Make Application For The 2008 Strategic Traffic Enforcement Program Grant-Comprehensive.**

***26.** Consider a Resolution **Appointing Four Members To The Board Of Directors Of The Tax Increment Reinvestment Zone No. 1 And Appointing One Member Of The Board To Serve As Chairman For The Ensuing Year.**

***27.** Consider a Resolution **Authorizing The City Manager To Enter Into A Contract With Various Providers For Vision Insurance, Employee Assistance Program, Wellness Services And Disability Insurance.**

***28.** Consider a Resolution **Appointing Members To The Youth Task Force.**

OTHER BUSINESS

29. Consider an Ordinance **Adopting and Approving An Operating And Capital Budget For The City Of Carrollton, Making Appropriations Therefore For The Fiscal Year October 1, 2007 Through September 30, 2008.**

Councilmember Simons made a motion adopting and approving an Operating and Capital Budget for the City of Carrollton, Making appropriations therefore for the Fiscal Year October 1, 2007 through September 30, 2008. Second by Councilmember Weidinger. The vote was cast 7-0 in favor of the motion.

30. Consider a Resolution **Ratifying The Property Tax Increase Reflected In The Fiscal Year 2007-2008 Operating Budget.**

Councilmember Malone made a motion ratifying the property tax increase reflected in the Operating and Capital Budget for the City of Carrollton for the Fiscal Year October 1, 2007 through September 30, 2008. Second by Councilmember Simons. The vote was cast 7-0 in favor of the motion.

31. Consider an Ordinance **Establishing The Tax Rate And Tax Levy For The City of Carrollton For The Tax Year 2007 Upon The Taxable Property In The City Of Carrollton In Conformity With The Laws Of The State Of Texas And The City.**

Councilmember Mahalik made a motion that property taxes be increased by the adoption of a tax rate of 61.7875 cents per $100 of valuation. Second by Councilmember Simons. The vote was cast 7-0 in favor of the motion.

Mayor Miller adjourned the meeting at 7:25 p.m.

ATTEST:

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Ashley D. Mitchell, City Secretary Becky Miller, Mayor