**CARROLLTON CITY COUNCIL**
**REGULAR MEETING and WORKSESSION MINUTES**

**JANUARY 9, 2007**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, January 9, 2007, at 5:45 p.m. with the following members present: Mayor Becky Miller, Mayor Pro Tem Larry Williams, Councilmembers Tim Hayden, John Mahalik, Pat Malone, Matthew Marchant and Herb Weidinger. Also present were City Manager Leonard Martin, Assistant City Managers Beth Bormann, Marc Guy, Bob Scott, Director of Managed Competition Tom Guilfoy, Assistant to the City Manager Erin Kasal, City Attorney Clayton Hutchins and City Secretary Ashley Mitchell.

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

**3.** Council convened in **Executive Session at 5:45 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, and.
- **Section 551.072** to discuss certain matters regarding real property
- **Section 551.074** to discuss personnel matters.
- **Section 551.087** to discuss Economic Development

**4.** Council **recessed into Worksession at 5:53 p.m.** to consider action, if any, on matters discussed in the Executive Session.

**5.** Briefing on the **Quarterly Parks Department Meetings.**

Scott Whitaker, Director of Parks and Recreation stated that this work session is to provide information about quarterly meetings conducted in Parks & Recreation. The entire department meets four times a year for approximately three hours for the purpose of emphasizing how business unit work plans and employee performance support council strategic goals, service to our citizens and operations of the entire city.

Quarterly meetings allow the leadership team to share information and open dialog with all employees at the same time. Additionally, employees receive (1) updates on city projects or initiatives, (2) comments and letters of appreciation from citizens or other internal customers who have praised their work, (3) safety and years of service awards, and (4) enjoy time together with fellow employees from each of the business units.

**6.** Briefing on **Legislative Priorities.**

Leonard Martin, City Manager stated that annually we establish legislative priorities which we follow in Washington and in Austin when the Texas Legislature is in session. A draft of issues has been developed as a starting point for discussion. A final draft will be developed base upon input received from the Mayor and City Council in the worksession.

Legislation can either support or inhibit our ability to ensure long term sustainability. It is important that we monitor and provide input to legislators regarding the impact of proposed legislation in order to produce outcomes that will support sustainability initiatives.

**7.** Discuss **Vacancies for Various Boards and Commissions.**

Ashley Mitchell, City Secretary stated that the Council is being asked to review applications for Construction Advisory and Appeals Board, Historic Preservation Advisory Board and Parks and Recreation Board.

Once the nominations have been made, resolutions will be placed on the Consent agenda for formal action. Once approved, the applicant will be mailed notification of the status of their application. Copies of the appointees' application will be forwarded to the respective staff liaison.

**INVOCATION** by Pastor Mike Johnson of Carrollton Church of the Nazarene.

**PLEDGE OF ALLEGIANCE** by Councilmember Hayden.

**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.

Mr. Martin, 2230 Roundrock Dr., stated that he lives in a single family home neighborhood where the situation is that multiple families are living in single family homes. These neighbors are not taking care of their houses, inside and out. The neighborhood is deteriorating due to the neglect. He states that usually one family will buy a home and then rent out rooms to several people. Many times the garages are turned into rooms or lean-to's are added to the homes. Another instance is that the parents will buy the home and then all the children and their families will live in the homes also. The concerned neighbors are worried about other business conducted out of these homes. People come and go at all hours of the night and disturb the neighborhood. They have talked to the police department and other officials. There hasn't been anything done to make the other families abide by the rules. Mr. Martin and other neighbors are looking for suggestions as to a way to resolve the issues. He states that when the neighborhood sees 3 to 4 families living in one home and brings it to the city's attention, nothing is done. He states that it seems that there are rules in place but no one in this neighborhood has to abide by them. These violations are making it hard for the home prices to stay up and the neighbors who care for their homes and abide by the rules, leave the neighborhood because they are tired of the violators.

**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 Items No. 9-19. Second by Councilmember Mahalik. The vote was cast 6-0 in favor of the motion.**

**BIDS AND PURCHASES**

***9.** Consider approval of the purchase of **Three Replacement Vehicles for the Leisure Services, IT and Water Replacement Departments** through an Inter-local Agreement with Houston Galveston Area Council (HGAC) in an amount not to exceed $50,030.00.

***10.** Consider approval of the purchase of **Two Replacement Vehicles and Two Additional Vehicles for Golf Contractor EAGL Management Company** through an Inter-local Agreement with Houston Galveston Area Council (HGAC) in an amount not to exceed $54,670.00.

***11.** Consider approval of bid award for **Reconstruction of McCoy Road From Jackson to Trinity Mills to Camino Construction, Inc.** in an amount not to exceed $1,884,980.00.

***12.** Consider approval of bid award for **Reconstruction of Belt Line Road From Jackson Street to Maryland Street to Tiseo Paving Company** in an amount not to exceed $3,149,412.00.

**CONTRACTS AND AGREEMENTS**

***13.** Consider authorizing the City Manager to approve a **Renewal of the Contract with Genuine Parts Company (NAPA) for Outsourcing of Warehouse Operations** in an amount not to exceed $600,000.00.

***14.** Consider authorizing the City Manager to approve a **Renewal of the Contract with Dr. Loehr for Medical Testing and Physicals for the Police, Fire and Environmental Services Departments** in an amount not to exceed $155,790.00.

**ORDINANCES**

***15.** Consider an ordinance **Authorizing the Sworn Positions and Classifications in the Police Department.**

**RESOLUTIONS**

***16.** Consider a resolution **Supporting Legislation for Disclosure of Property Sales.**

***17.** Consider a resolution **Authorizing the City Manager to Renew Contracts with Various Companies to Provide Benefit Coverage and Services to the City Health Benefits Program.**

***18.** Consider a resolution **Authorizing the City Manager to Enter into an Interlocal Agreement with The Texas Building and Procurement Commission to Purchase Agenda Management Software from MuniAgenda Covered by the CISV Program.**

**OTHER BUSINESS**

***19.** Consider a **Resolution Instructing Staff to Prepare a Service Plan and an Ordinance calling for Public Hearings on February 6, 2007 and February 13, 2007** for the proposed annexation of the Shops at Prestonwood property. The 5.158-acre site is located on the west side of Marsh Lane, north of Hebron Parkway.

**PUBLIC HEARINGS - CONSENT AGENDA**

***(Items listed under the "Public Hearing Consent Agenda" have received a unanimous recommendation for approval by the Planning & Zoning Commission, and the city has received no written opposition to the cases at the date of the posting of the agenda. However, any person is welcome to speak on any of these agenda items by completing a "Request to Speak" card prior to the meeting. Otherwise, the items will be considered without deliberation. Each Council member has the prerogative of removing an item from this agenda so that it may be considered separately.)***

**Councilmember Williams moved to close the public hearings 20 and 21 and Approve Case No. 12-06SUP4 Reassessment of SUP-335 and Case No. 12-06Z1 Park Villas at Raiford Road. Seconded by Councilmember Mahalik. The vote was cast 6-0.**

***20.** Hold a public hearing and consider an **Ordinance Reassessing Special Use Permit 335 for Coffee #1.** The approximately 2,900 square foot lease space is located at the southeast corner of Josey Lane and Frankford Road, and is zoned PD-21 for the (LR-2) Local Retail District with SUP-335. Case No. 12-06SUP4 Reassessment of SUP-335/City of Carrollton.

***21.** Hold a public hearing and consider approval of an **Ordinance Amending PD-5 for an Independent Living/Retirement Community** with modified development standards. The 16.7-acre site is located on the south side of Raiford Road, east of Old Denton Road and is zoned PD-5 for the (LR-2) Local Retail District. Case No. 12-06Z1 Park Villas at Raiford Road/Chan Il Pak.

***Mayor Miller adjourned the regular meeting and reconvened the Worksession at 7:59 p.m.***

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Becky Miller, Mayor

ATTEST:

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Ashley D. Mitchell, City Secretary