# CARROLLTON CITY COUNCIL WORKSESSION AND REGULAR MEETING

# **AUGUST 5, 2008**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, August 5, 2008, at 5:45 p.m. with the following members present: Mayor Ron Branson, 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 City Secretary Ashley D. Mitchell.

\*\*\* PRE-MEETING \*\*\*
5:45 P.M. – COUNCIL BRIEFING ROOM

- 1. Dinner
- 2. Mayor and Council <u>reports and information sharing</u>.
- **3.** Receive **supplemental staff information** and responses to questions.

\*\*\*\* EXECUTIVE SESSION \*\*\*\*

- 4. Council convened in **Executive Session at 5:57 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 551.076 to discuss security matters.
  - **Section 551.087** to discuss Economic Development.
- 5. Council <u>reconvened in open session at 6:30 p.m.</u> to consider action, if any, on matters discussed in the Executive Session.

\*\*\* \* WORKSESSION \* \* \* \*
COUNCIL BRIEFING ROOM

- **6.** Discuss <u>Illegal Immigration Task Force.</u>
- 7. Discuss Possible Charter Reviews.

At the July 2008 City Council Strategic Planning Sessions, Council directed staff to place an item on a future Worksession to discuss proposed charter amendments. The city's last charter revision was held May 14, 2004. Attached is a comparison of the current charter and the proposed administrative changes and a survey of cities regarding term limits.

# 8. Discuss Fiscal Year 2009 Community Service Requests.

As part of the annual budget process, City Council considers requests from community service entities for contract services funding. The community service applications and summary of the requests will be distributed to City Council with the 2009 Preliminary Budget on August 1, 2008. In addition to the applications, staff received a large amount of supporting documentation, i.e. marketing materials, financial statements, IRS tax determination letters, from the entities that we will bring to the meeting as reference material. A summary of the funding requests has been attached.

Based on direction from City Council regarding funding levels, staff will incorporate funding for the Community Service entities in the Fiscal Year 2009 Budget. After completion of the budget process and final approval of the budget by City Council, staff will move forward with the execution of contracts with the Community Service entities. A memorandum regarding Hotel/Motel funding restrictions will also be included with the applications distributed to City Council which may be referenced for guidance on the usage of Hotel Occupancy Tax revenue. The City Attorney will be available to provide interpretation of the law as necessary.

Deliberate on Community Service funding requests and provide staff direction on the proposed level of Community Service funding for each entity for inclusion in the Fiscal Year 2009 Budget.

Council concurred with the following changes:

Keep Carrollton Beautiful

Requested 2008-09	\$20,000
Council Recommended 2008-09	\$10,000
Proposed Budget 2008-09	\$10,000

#### Metrocrest Family Medical Clinic

Requested 2008-09	\$12,000
Council Recommended 2008-09	\$8,000
Proposed Budget 2008-09	\$8,000

#### **Metrocrest Social Services**

Requested 2008-09	\$130,000
Council Recommended 2008-09	\$88,500
Proposed Budget 2008-09	\$88,500

## 9. Discuss Fiscal Year 2008-09 Preliminary Budget.

On April 15, 2008, staff presented to Council the Multi-year (five year) Budget and Financial Forecast beginning the budget preparation process for the Fiscal Year 2008-09 Budget. The Fiscal Year 2008-09 Preliminary Budget will be distributed to Council on August 1, 2008.

On August 5, 2008, a Council work session will be held to provide Council an opportunity for initial questions and deliberation. An additional work session on August 19, 2008 has been scheduled for Council to deliberate and provide further direction to staff on the 2008-09 Preliminary Budget. Two public hearings have been scheduled for

September 2, 2008 and September 9, 2008 on the 2008-09 Proposed Budget and 2008-09 Proposed Tax Rate.

At this work session, Council received a presentation on the Fiscal Year 2008-09 Preliminary Budget.

10. Discuss Future Agenda Items.

#### **INVOCATION**

#### PLEDGE OF ALLEGIANCE

#### **PRESENTATIONS**

- 11. Presentation from **Keep Carrollton Beautiful Organization**.
- **12.** Recognition of <u>Twenty-Five Years of Service for Officer Roy Rhodes.</u> This item was removed from the agenda.

#### **PUBLIC FORUM**

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.

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.)

Councilmember Marchant moved to close the Public Hearings and approval of Agenda Items No. 14-20. Second by Councilmember Weidinger. The vote was cast 7-0 in favor of the motion.

## **MINUTES**

\*14. Consider Approval of the April 15, 2008, May 6, 2008 and May 20, 2008 Regular City Council Minutes.

# **BIDS AND PURCHASES**

- \*15. Consider Approval of <u>Bid #08-035 For The Purchase Of Auto Parts For The Fleet</u>
  <u>Department From Various Vendors</u> In An Amount Not To Exceed \$500,000.
- \*16. Consider Authorizing the City Manager To Renew The Agreement To Purchase Fuel
  Through The Fuelman Credit Card And Automation Of City In-house Fueling
  Dispensers Through The Inter-local Agreement With Tarrant County.

# **CONTRACTS AND AGREEMENTS**

- \*17. Consider Authorizing the City Manager to <u>Approve a Contract Extension to Allied</u> Waste Service for Residential Waste Collection for a Two Year Period.
- \*18. Consider Authorizing the City Manager to <u>Approve a Contract Extension to Waste</u>

  <u>Management for Apartment and City Facility Waste Collection for a Two Year</u>

  <u>Period.</u>
- \*19. Consider Authorizing The City Manager To Approve Amendment No. 1 With TranSystems, Inc. For The Preparation Of Engineering Plans For Whitlock Lane In An Amount Of \$83,000.00 For A Revised Contract Amount Not To Exceed \$472,970.00.
- \*20. Consider Authorizing The City Manager To Approve A Contract With Valwood Improvement Authority (VIA) For The Acquisition Of The Right Of Way For Valwood Parkway.
- \*21. Consider Authorizing The City Manager To <u>Approve Change Order #2 For The Old</u>
  <u>Denton Road Improvements Project</u> In An Amount of \$292,191.95, For A Revised
  Contract Amount Not To Exceed \$7,597,029.90.
- \*22. Consider Authorizing The City Manager To Approve A Contract For Engineering

  Design Services With GSWW For The Preparation Of Engineering Plans For The

  Park Place Street Replacements In An Amount Not To Exceed \$508,100.00.
- \*23. Consider Authorizing the City Manager to <u>Approve An Agreement With Graham's</u>

  <u>Wrecker Service To Provide Services To The City and Establish Rates For Private Services.</u>

## **ORDINANCES**

\*24. Consider An Ordinance Granting Authorization For 1,345 Square Feet Of Easements
To Oncor For The McInnish Athletic Complex Project.

- \*25. Consider An Ordinance Amending The Crosby Community Center Membership Fees
  To Accommodate Facility Renovations.
- \*26. Consider an Ordinance Amending Title 17, Chapter 172 Regarding Regulating Liquid Waste.
- \*27. Consider An Ordinance Adopting The 2008 National Electrical Code With Regional And Local Amendments.
- \*28. Consider an Ordinance Amending Title XIII, Chapter 133 Of The Carrollton Code Of Ordinances In Regards To The Parks and Recreation Policies.
- \*29. Consider An Ordinance Expanding A School Speed Limit Zone Of 20 MPH On Frankford Road For Rainwater Elementary School.

## **RESOLUTIONS**

- \*30. Consider A Resolution Authorizing The City Manager To Acquire Land For The Dickerson Parkway Street Reconstruction Project.
- \*31. Consider A Resolution Authorizing The City Manager To Acquire Various Tracts Of Land For Street Improvements.
- \*32. Consider A Resolution Authorizing The City Manager To Enter Into A Contract
  With Grant Thorton LLP For Independent Auditing Services In An Amount Not to
  Exceed \$99,000.

#### PUBLIC HEARING -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.)

- \*33. Hold a public hearing and consider an Ordinance Approving A Special Use Permit For A Mini-Storage Warehouse. The 3.798-acre site is located at 2409 Old Denton Road, on the west side of Old Denton Road, north of Crowley Drive and is zoned PD-18 for the (LR-2) Local Retail and (FWY) Freeway Districts. Case No. 07-08SUP1 All Storage, Carrollton West/John Morris.
- \*34. Hold a public hearing and consider an Ordinance Approving A Special Use Permit For A Restaurant With A Drive-Through Window. The 3,285 square foot lease space is located on the south side of Hebron Parkway, between Midway Road and International Parkway. The property is currently zoned (LR-2) Local Retail District. Case No. 07-08SUP3 Park Midway Retail/Chris Thompson.

# PUBLIC HEARING -INDIVIDUAL CONSIDERATION

35. Hold a public hearing and consider an <u>Ordinance Approving A Special Use Permit For A Restaurant With A Drive-Through Window.</u> The 0.85-acre site is located on the north side of Belt Line Road, between Josey Lane and Metrocrest Drive and is zoned (LR-2) Local Retail District. Case No. 07-08SUP2 KFC/Taco Bell/David Gregory.

Ms. Levy stated that this is a request for approval of a Special Use Permit for a restaurant with a drive-thru window. The 0.84-acre lease area is located on the north side of Belt Line Road, between Josey Lane and Metrocrest Drive and is zoned (LR-2) Local Retail District.

On July 3, 2008 the Planning and Zoning Commission recommended **APPROVAL** with stipulations. The attached ordinance reflects the Commission's action. The application received unanimous approval and no written opposition has been filed. However, since the applicant does not agree with the stipulations, this request has been placed on the agenda under Public Hearings for Individual Consideration.

Councilmember Hayden moved to close the Public Hearings and approve an Ordinance Approving A Special Use Permit For A Restaurant With A Drive-Through Window. Second by Deputy Mayor Pro Tem Mahalik. The vote was cast 7-0 in favor of the motion.

Mayor Branson adjourned the meeting at	7:35 p.m.
ATTEST:	
Ashley D. Mitchell, City Secretary	Ronald F. Branson, Mayor