

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION AND COUNCIL MEETING
MAY 19, 2014

WORK SESSION – 6:00 P.M.:

• **Call to Order**

Mayor Maczka called the meeting to order at 6:00 p.m. with the following Council members present:

Laura Maczka	Mayor
Bob Townsend	Mayor Pro Tem
Mark Solomon	Councilmember
Scott Dunn	Councilmember
Kendal Hartley	Councilmember
Paul Voelker	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
David Morgan	Deputy City Manager
Cliff Miller	Assistant City Manager Development Services
Don Magner	Assistant City Manager Community Services
Shanna Sims-Bradish	Assistant City Manager Admin/Leisure Services
Taylor Paton	Management Analyst
Aimee Nemer	City Secretary
Bill Alsup	Director of Health
Sam Chavez	Assistant Director of Development Services
Brent Tignor	Chief Building Official
Robert Shine	Senior Building Inspector

A. PRESENT PROCLAMATION FOR MOTORCYCLE SAFETY AWARENESS MONTH

Mayor Maczka presented a proclamation to Christian Chingón, representing the Christians Motorcycle Club and various other motorcycle club members.

B. REVIEW AND DISCUSS ITEMS LISTED ON THE CITY COUNCIL MEETING AGENDA

Sam Chavez, Assistant Director of Development Services, reviewed Zoning Files 14-03, 14-12, and a request for a variance to Chapter 4 of the Code of Ordinances.

C. REVIEW AND DISCUSS THE STATUS OF WATER RESTRICTIONS

Don Magner, Assistant City Manager, reviewed the condition assessments and expected action from the North Texas Municipal Water District. Mr. Magner explained that the City should prepare for the extension of Modified Stage 3 (watering twice a month) through September. He emphasized the use of moisture meters and requested that residents turn off irrigation systems. He stated that the City would continue to focus on educating residents but would also be proactively enforcing the Modified Stage 3 restrictions.

D. REVIEW AND DISCUSS THE 2014 MOSQUITO CONTROL PROGRAM REVIEW

Bill Alsup, Director of Health, reviewed this item for Council giving an update on response efforts including year-round monitoring, additional spraying capacity for off-road areas, and continued partnership with Dallas County Health and Human Services.

E. REVIEW AND DISCUSS BUILDING SAFETY MONTH

Don Magner, Assistant City Manager, reviewed the activities of Building Safety Month and recognized Brent Tignor, Chief Building Official and Robert Shine, Senior Building Inspector.

F. REPORT ON ITEMS OF COMMUNITY INTEREST

Mayor Maczka commended City Staff, volunteers, and sponsors for another successful Wildflower! Music and Art Festival. Mr. Johnson commented that there were approximately 75,000 in attendance.

COUNCIL MEETING – 7:30 PM, COUNCIL CHAMBERS

1. **INVOCATION – SCOTT DUNN**

2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – SCOTT DUNN**

3. **VISITORS**

There were no visitors comments submitted.

PUBLIC HEARING ITEMS:

4. **PUBLIC HEARING, ZONING FILE 14-03: A REQUEST BY KIRK HERMANSEN, REPRESENTING HERMANSEN LAND DEVELOPMENT, FOR A CHANGE IN ZONING FROM PD PLANNED DEVELOPMENT (WEST SPRING VALLEY CORRIDOR PD) TO PD PLANNED DEVELOPMENT/MAJOR MODIFICATION TO ACCOMMODATE THE DEVELOPMENT OF MULTIPLE RESTAURANT PAD SITES ON APPROXIMATELY 5.1 ACRES. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF US-75 AND JAMES DRIVE AND IS CURRENTLY ZONED PD PLANNED DEVELOPMENT.**

Public Hearing

Kirk Hermansen, the applicant, and Richard Ferrara, representing the applicant, addressed Council and reviewed the project. Mayor Maczka opened the Public Hearing. The following public comments were submitted.

In Favor

Hank Mulvihill
Jason Lemons
Andrew Laska
Bill Zeigler
Ed Hassler
Daniel Eng
Lou Lebowitz

Neutral

Norman Eng

Opposed

Marcos Fernandez
Ann Heymann
Mike Foulk
Richard Dotson

With no further comments, Councilmember Mitchell moved to close the Public Hearing, seconded by Councilmember Hartley, and approved unanimously.

Council Action

Mayor Pro Tem Townsend moved to approve the request as presented with the approval of a sign on the Central Expressway frontage not to exceed 40 feet. Councilmember Dunn seconded the motion. A vote was taken and passed, 7-0.

- PUBLIC HEARING, ZONING FILE 14-12: A REQUEST BY HARRY PURDOM, REPRESENTING H. PURDOM, INC., FOR A CHANGE IN ZONING FROM O-M OFFICE AND LR-M(2) LOCAL RETAIL TO PD PLANNED DEVELOPMENT FOR THE DEVELOPMENT OF A 13-LOT PATIO HOME DEVELOPMENT ON APPROXIMATELY 1.8 ACRES. THE PROPERTY IS LOCATED ON THE NORTH SIDE OF OLD CAMPBELL ROAD AT THE INTERSECTION OF NANTUCKET DRIVE AND IS CURRENTLY ZONED O-M OFFICE AND LR-M(2) LOCAL RETAIL.**

Public Hearing

Cheryl Williams, representing the applicant, addressed Council and reviewed the project. Harry Purdom, the applicant, was also available to answer questions from Council. Mayor Maczka opened the Public Hearing. Ms. Jennifer Vilbig addressed Council and expressed concerns about drainage and street width. With no further comments, Councilmember Hartley moved to close the Public Hearing, seconded by Councilmember Voelker, and approved unanimously.

Council Action

Councilmember Mitchell moved to approve the request as presented. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

- PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AMENDING ORDINANCE NO. 3279 UPDATING THE INCENTIVES WHICH MIGHT BE AVAILABLE TO THE TEXAS ENTERPRISE ZONE PROGRAM UNDER EXISTING CITY OF RICHARDSON POLICY, BUT WHICH ARE NOT CURRENTLY OFFERED UNDER ORDINANCE NO. 3729.**

Public Hearing

Council conducted a Public Hearing. With no comments submitted, Councilmember Solomon moved to close the Public Hearing, seconded by Mayor Pro Tem Townsend, and approved unanimously.

- APPROVAL OF ORDINANCE NO. 4050, AMENDING ORDINANCE NO. 3279 UPDATING THE INCENTIVES WHICH MIGHT BE AVAILABLE TO THE TEXAS ENTERPRISE ZONE PROGRAM UNDER EXISTING CITY OF RICHARDSON POLICY, BUT WHICH ARE NOT CURRENTLY OFFERED UNDER ORDINANCE NO. 3729.**

Council Action

Councilmember Solomon moved to approve Ordinance 4050 as presented. Mayor Pro Tem Townsend seconded the motion. A vote was taken and passed, 7-0.

ACTION ITEMS:

8. **A REQUEST BY ERIKA SANTIVANEZ, REPRESENTING TINEO BAKERY, FOR APPROVAL OF A VARIANCE TO CHAPTER 4 OF THE CODE OF ORDINANCES TO ALLOW THE SALE OF ALCOHOLIC MIXED BEVERAGES IN RESTAURANTS BY A FOOD AND BEVERAGE CERTIFICATE HOLDER WITHIN 300 FEET OF A CHURCH. THE SITE IS LOCATED AT 525 W. ARAPAHO ROAD, ON THE SOUTH SIDE OF ARAPAHO ROAD, WEST OF CUSTER ROAD.**

Council Action

Councilmember Dunn moved to approve the request as presented. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

9. **CONSENT AGENDA:**

A. CONSIDER THE FOLLOWING RESOLUTIONS:

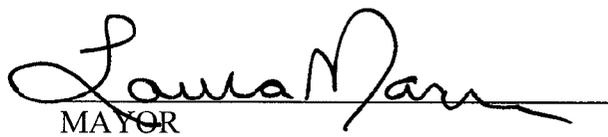
1. **RESOLUTION NO. 14-09, IN SUPPORT OF THE UNIVERSITY TRAIL TRANSPORTATION ALTERNATIVE PROGRAM PROJECT.**
2. **RESOLUTION NO. 14-10, DENYING THE RATE INCREASE REQUESTED BY ATMOS ENERGY CORP., MID-TEX DIVISION UNDER THE COMPANY'S 2014 ANNUAL RATE REVIEW MECHANISM FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES PERTAINING TO REVIEW OF THE RRM; AUTHORIZING THE CITY'S PARTICIPATION WITH ATMOS CITIES STEERING COMMITTEE IN ANY APPEAL FILED AT THE RAILROAD COMMISSION OF TEXAS BY THE COMPANY; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES IN ANY SUCH APPEAL TO THE RAILROAD COMMISSION; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE STEERING COMMITTEE'S LEGAL COUNSEL.**
3. **RESOLUTION NO. 14-11, NOMINATING HEALTH CARE SERVICE CORPORATION, A MUTUAL LEGAL RESERVE COMPANY, D/B/A BLUE CROSS AND BLUE SHIELD OF TEXAS ("HCSC"), AS A TEXAS STATE ENTERPRISE ZONE PROJECT.**

Council Action

Councilmember Hartley moved to approve the Consent Agenda as presented. Councilmember Voelker seconded the motion. A vote was taken and passed, 7-0.

ADJOURNMENT

With no further business, the meeting was adjourned at 10:01 p.m.



MAYOR

ATTEST:



CITY SECRETARY

