

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION AND REGULAR MEETING
APRIL 14, 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
Aimee Nemer	City Secretary
Taylor Paton	Management Analyst
Michael Spicer	Director of Development Services
Bill Alsup	Director of Health

A. INFORMAL REMARKS BY REPRESENTATIVE VAN TAYLOR

Representative Taylor introduced himself to Council and discussed his unopposed candidacy for senate and expressed his desire to work with the City of Richardson during his term. Council informed Representative Taylor of some issues of concern to the City such as, traffic and transportation, maintaining local control, and unfunded mandates.

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

Michael Spicer, Director of Development Services, reviewed ZF 14-04, 14-06, 14-09, and Variance 14-03. Don Magner, Assistant City Manager, reviewed Sign Control Board Case 14-04 and 14-05.

C. REVIEW AND DISCUSS THE 2014 TRASH BASH

Bill Alsup, Director of Health, reviewed the 2014 Trash Bash.

D. REVIEW AND DISCUSS CREDIT ACCESS BUSINESSES

Don Magner, Assistant City Manager, reported on this item reviewing the 4 options discussed at the March 24, 2014 Council Meeting:

1. City Council pass a resolution in support of additional regulations being adopted by the State of Texas in the 2015 Legislative Session

2. Continue to sustain the Special Permit requirement so that any proposed credit access business in the future is reviewed on a case by case basis
3. Continue to review active litigation related to CABs
4. Develop a process to report violations of the Texas Finance Code to the Texas Finance Commission

Council Discussion

There was a consensus of Council to proceed with options 1-3 and eliminate option 4.

E. REPORT ON ITEMS OF COMMUNITY INTEREST

Councilmember Hartley reported on his son's success at the Special Olympics Track Meet where he won two gold medals and one silver.

Councilmember Dunn reported on the grand opening of the Richardson Methodist Hospital, the car show at Heights, and the pet parade at Huffhines.

The Work Session was recessed at 7:26 p.m. for the Regular Council Meeting. The Work Session was reconvened at 9:29 p.m. following the Regular Meeting.

COUNCIL MEETING – 7:30 PM, COUNCIL CHAMBERS

1. **INVOCATION – STEVE MITCHELL**
2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – STEVE MITCHELL**
3. **MINUTES OF THE MARCH 24, 2014 MEETING (ADVISORY BOARDS AND COMMISSIONS MEETING), MARCH 24, 2014, AND APRIL 7, 2014 MEETINGS**

Council Action

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

4. VISITORS

There were no visitors comments submitted.

5. **CONSIDER APPOINTMENTS/REAPPOINTMENTS TO THE ANIMAL SERVICES ADVISORY COMMISSION, ENVIRONMENTAL ADVISORY COMMISSION, NORTH TEXAS MUNICIPAL WATER DISTRICT BOARD, TAX INCREMENT FINANCE BOARDS NO. 1-3, AND THE ZONING BOARD OF ADJUSTMENTS/BUILDING AND STANDARDS COMMISSION.**

Council Action

Councilmember Dunn moved to reappoint Elise Bissell, Dana Huffman, and Paula Carlson to the Animal Services Advisory Commission for a term ending March 31, 2016. Seconded by Mayor Pro Tem Townsend and approved unanimously.

Councilmember Mitchell moved to reappoint John Murphy to the North Texas Municipal Water District for a term ending May 31, 2016. Seconded by Councilmember Solomon and approved unanimously.

Councilmember Hartley moved to reappoint James Menke, Brian Shuey, and Charles Pratt III to the Zoning Board of Adjustments/Building Standards Commission for a term ending April 1, 2016; and Jason Lemons as Alternate for a term ending April 1, 2016. Seconded by Councilmember Solomon and approved unanimously.

Councilmember Solomon moved to appoint Joe Elliott to the Environmental Advisory Commission for an unexpired term to end September 22, 2015. Seconded by Councilmember Voelker and approved unanimously.

Mayor Pro Tem Townsend moved to appoint Stan Bradshaw and Janice Peters to the TIF Board Zone 1 for an unexpired term to end April 9, 2015 and to TIF Board Zone 2 and Zone 3 for an unexpired term to end November 28, 2015. Seconded by Councilmember Hartley and approved unanimously.

PUBLIC HEARING ITEMS:

6. **PUBLIC HEARING, ZONING FILE 14-04: A REQUEST BY DAVE LARSEN, REPRESENTING LARSEN & ASSOCIATES ARCHITECTS, TO REVOKE ORDINANCE 3156-A, A SPECIAL PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH SERVICE AND APPROVAL OF A NEW SPECIAL PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH SERVICE AT 105 S. COIT ROAD (SOUTHEAST CORNER OF COIT ROAD AND BELT LINE ROAD). THE PROPERTY IS CURRENTLY ZONED C-M COMMERCIAL.**

Public Hearing

Mayor Maczka opened the Public Hearing at 7:47. The applicant, David Larsen, addressed Council and answered questions regarding the elevations being inconsistent with the existing shopping center and current restaurant design, removal of the outside playground, the interior activity area, and if shade structures would be provided for the outdoor dining area. Mr. Larsen explained that the proposed building elevations were consistent with the restaurant's corporate design. He stated that the playground would be removed and replaced with a smaller interactive activity area indoors. Mr. Larsen also stated that table umbrellas would be provided, but not a permanent shade structure for the outdoor dining.

With no other comments, Councilmember Solomon moved to close the Public Hearing at 7:51, seconded by Councilmember Dunn, 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.

7. **PUBLIC HEARING, ZONING FILE 14-06: A REQUEST BY JON VAN DE VOORDE, REPRESENTING WPC ACQUISITIONS, INC., FOR A CHANGE IN ZONING FROM I-M(1) INDUSTRIAL AND TO-M TECHNICAL OFFICE TO PD PLANNED DEVELOPMENT FOR THE DEVELOPMENT OF A 140-HOME PATIO HOME COMMUNITY ON APPROXIMATELY 26.3 ACRES. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF PLANO ROAD AND APOLLO ROAD AND IS CURRENTLY ZONED I-M(1) INDUSTRIAL AND TO-M TECHNICAL OFFICE.**

Public Hearing

Mayor Maczka opened the Public Hearing at 8:03 p.m. The applicant, Chaz Fitzgerald, addressed Council and answered questions regarding the mix of one and two story properties, front-entry garages, fencing requirements, street parking, and plans to connect on the northern easement.

Marty Neilon, Brenda Rankin, and Carmen Herndon spoke in favor of the request. Les Herndon was also in support but did not wish to speak.

Paco Otal spoke in opposition of the request.

Roman Bazozowski addressed Council with questions about the trees on the south of the property and if the development will include one and two stories.

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

Council Action

Mayor Pro Tem Townsend moved to deny the request. Councilmember Solomon seconded the motion. A vote was taken and passed, 6-1 with Councilmember Voelker voting in opposition.

8. **PUBLIC HEARING, ZONING FILE 14-09: A REQUEST BY NEIL SANDER, DYNAMIC ENGINEERING, FOR A SPECIAL PERMIT FOR A MOTOR VEHICLE STORAGE LOT TO BE LOCATED AT 1320 INTERNATIONAL PARKWAY. THE PROPERTY IS CURRENTLY ZONED I-FP(2) INDUSTRIAL.**

Public Hearing

Mayor Maczka opened the Public Hearing at 9:08 p.m. Graham Moore, representing the applicant, addressed Council and answered questions regarding hail nets, fencing, and advertising. Mr. Moore explained that the hail nets would be on the interior parking only, fencing would be used in conjunction with shrubbery, and there would be no advertising on the site. With no further comments, the Public Hearing was closed at 9:11 p.m. with a motion by Mayor Pro Tem Townsend, seconded by Councilmember Hartley, and approved unanimously.

Council Action

Councilmember Solomon moved to approve the request as presented with the conditions from the City Plan Commission as listed below and that parking only be permitted in designated parking spaces. Councilmember Dunn seconded the motion. A vote was taken and passed, 7-0.

1. *A motor vehicle storage lot shall be allowed and limited to the area shown on the attached concept plan, marked as Exhibit "B" and made a part thereof.*
2. *Vehicles shall be limited to new motor vehicles which are operable and have no visible damage.*
3. *Recreational vehicles, motorcycles, boats, recreational trailers, and campers shall not be allowed to be stored on the subject property.*

4. *A minimum 6-foot steel fence with automatic gates shall be constructed around the perimeter in general conformance with Exhibit "B" and shall be allowed to be located within the front setback.*
5. *No additional light standards shall be allowed, except as shown on Exhibit "B".*
6. *Changes to the site plan and landscape plan for use of the subject property as a motor vehicle storage lot shall be administratively approved.*
7. *Hail nets as depicted in the detail on Exhibit "B" shall be allowed and limited to the interior parking space areas as shown on Exhibit "B". The hail nets shall be cable tension structures with a high-density polyethylene fabric cover or an equivalent as approved by the Building Official.*

ACTION ITEMS:

9. **VARIANCE 14-03: A REQUEST BY JOHNNY LEE, REPRESENTING TERRACE SHOPPING CENTER LTD., FOR APPROVAL OF A VARIANCE FROM CHAPTER 21, THE SUBDIVISION AND DEVELOPMENT CODE, TO ALLOW A REDUCTION IN REQUIRED PARKING. THE SUBJECT PROPERTY IS LOCATED AT 400 N. GREENVILLE AVENUE AND IS ZONED C-M COMMERCIAL.**

Council Action

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

10. CONSENT AGENDA:

- A. **ADOPTION OF ORDINANCE NO. 4043, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 23, ARTICLE V-I WATER CONSERVATION AND EMERGENCY WATER MANAGEMENT PLAN; BY ADOPTING THE MAY 2014 WATER CONSERVATION PLAN AND THE MAY 2014 WATER RESOURCE MANAGEMENT PLAN; AND PROVIDING FOR THE DELAYED EFFECTIVE DATE FOR THE MAY 2014 WATER CONSERVATION AND WATER RESOURCE MANAGEMENT PLANS.**

B. CONSIDER THE FOLLOWING RESOLUTIONS:

1. **RESOLUTION NO. 14-07, AUTHORIZING EXECUTION OF A FOURTH AMENDED AND RESTATED POLICE TRAINING CENTER OPERATING AGREEMENT BY AND BETWEEN THE CITY OF PLANO, TEXAS, AND THE CITY OF RICHARDSON, TEXAS, FOR THE JOINT OPERATION AND MAINTENANCE OF THE PLANO/RICHARDSON POLICE TRAINING CENTER, AND AUTHORIZING ITS EXECUTION BY THE CITY MANAGER.**
2. **RESOLUTION NO. 14-08, APPROVING THE TERMS AND CONDITIONS OF AMENDMENT #1 TO THE LOCAL**

TRANSPORTATION PROJECT ADVANCE FUNDING AGREEMENT FOR AN INCREASE OF THE AUTHORIZED PROJECT FUNDING FOR THE GALATYN PARKWAY PROJECT, BY AND BETWEEN THE CITY OF RICHARDSON, TEXAS, AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION; AND AUTHORIZING ITS EXECUTION BY THE CITY MANAGER.

C. CONSIDER AWARD OF THE FOLLOWING BIDS:

- 1. BID #21-14 – WE RECOMMEND THE AWARD TO LDM DESIGN AND CONSTRUCTION FOR THE 2014 BRIDGE RAIL MAINTENANCE PURSUANT TO THE ATTACHED UNIT PRICES.**
- 2. BID #39-14 – WE RECOMMEND THE AWARD TO JOHNSON EQUIPMENT COMPANY FOR THE OVERHEAD DOOR REPLACEMENT AT FIRE STATIONS 5 & 6 IN THE AMOUNT OF \$85,054.**
- 3. BID #46-14 – WE REQUEST AUTHORIZATION TO ISSUE A COOPERATIVE PURCHASE ORDER TO RESTROOM FACILITIES LTD. FOR A PRE-FABRICATED RESTROOM FACILITY FOR THE DOG PARK THROUGH THE TEXAS LOCAL GOVERNMENT STATEWIDE PURCHASING COOPERATIVE BUYBOARD CONTRACT #423-13 IN THE AMOUNT OF \$125,423.**
- 4. BID #47-14 – WE REQUEST AUTHORIZATION TO ISSUE COOPERATIVE ANNUAL REQUIREMENTS CONTRACTS FOR REGULAR UNLEADED AND TXLED DIESEL FUEL WITH MARTIN EAGLE OIL COMPANY (PRIMARY); TAC ENERGY (SECONDARY) AND FOR B20 BIODIESEL FUEL WITH DOUGLASS DISTRIBUTING COMPANY (PRIMARY) AND MARTIN EAGLE OIL COMPANY (SECONDARY) PURSUANT TO PLUS OR MINUS DISCOUNTS FROM THE OIL PRICE INFORMATION SERVICE INDEX THROUGH TARRANT COUNTY BID #2014-063.**

Council Action

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

- 11. RECEIVE THE APRIL 9, 2014 SIGN CONTROL BOARD MINUTES AND CONSIDER FINAL APPROVAL OF SCB CASE 14-04, SAINT PAUL CHURCH, AND SCB CASE 14-05, TEN 50 BBQ.**

Council Action

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

EXECUTIVE SESSION

In compliance with Section 551.074 of the Texas Government Code, Council will convene into a closed session to discuss the following:

- Personnel
 - Municipal Court Judge

Council Action

Council convened into Executive Session at 9:43 p.m.

RECONVENE INTO REGULAR SESSION

Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.

Council Action

Council reconvened into Regular Session at 9:58 p.m. There was no action as a result of the Executive Session.

ADJOURNMENT

With no further business, the meeting was adjourned at 9:58 p.m.


MAYOR

ATTEST:



CITY SECRETARY

