



City of University Park

City Hall
3800 University Blvd.
University Park, TX 75205

Meeting Minutes City Council

Tuesday, September 19, 2023

5:00 PM

Council Chamber

EXECUTIVE SESSION

2:30 - 4:00 P.M. Pursuant to TGC§ 551.071, the City Council met in closed session to consult with the City Attorney regarding 1) the Snider Plaza improvement project scope of work and 2) the sidewalk at 6600 Snider Plaza; and 3) pursuant to TGC§ 551.072, the City Council met in closed session to deliberate regarding real property – potential purchase of property on Fondren. No action was taken. Livingston Conference Room, 1st Floor, City Hall.

PRE-MEETING WORK SESSION(S)

4:00 - 5:00 P.M. The City Council met in open work session to receive agenda item briefings from staff. No action was taken. Council Conference Room, 2nd floor, City Hall.

I. CALL TO ORDER

- A. INVOCATION: Director of Human Resources Cheree' Bontrager
- B. PLEDGE OF ALLEGIANCE: Director of Human Resources Cheree' Bontrager / Scouts
- C. INTRODUCTION OF COUNCIL: Mayor Tommy Stewart
- D. INTRODUCTION OF STAFF: City Manager Robbie Corder

Staff in attendance included City Attorney Rob Dillard, Director of Communications & Marketing Steve Mace, Director of Information Services Dale Harwell, City Secretary Christine Green, Special Projects Coordinator Amanda Hartwick, Communications & Marketing Specialist Paige Ruedy, City Engineer Katie Barron, Fire Chief Randy Howell, Chief of Police Bill Mathes, Director of Human Resources Cheree' Bontrager, Interim Director of Public Works Jodie Ledat, Purchasing Manager Elizabeth Anderson, Director of Finance Tom Tvardzik, Director of Community Development Pat Baugh, Events/Reservations Coordinator Kaylon Jackson, Director of Parks & Recreation Sean Johnson, and Assistant City Manager Shanna Sims-Bradish.

II. AWARDS AND RECOGNITION

[23-184](#)

Proclamation in recognition of Constitution Week 2023

Mayor Stewart read a proclamation recognizing September 17-23 as Constitution Week. Juli Harrison of the Highland Park DAR was present to receive the proclamation.

III. CONSENT AGENDA[23-170](#)

Reservation Request from Susan G. Komen Organization

City Manager Corder said that this is a request to reserve Curtis and Goar Parks on October 27 from 7 a.m. to 4 p.m. for the Susan G. Komen 3-Day Breast Cancer Walk.

The organizers are expecting 650 participants, but there will be no more than 100 participants in either park at any one time. The group will be required to provide adequate restroom facilities and police security for the event.

This request was approved.

[23-171](#)

Reservation Request from the University Park Preschool Associations

City Manager Corder said that the University Park Preschool Associations have requested to reserve Goar Park for their annual Holiday Hayrides fundraiser on December 4, 5, 6, 7 and 11 from 5:30 - 7 p.m.

The organizers have proposed the same route as in past years, with the rides beginning and ending at Goar Park. The organizers will be required to have a police officer in the front and the back of the hayride trailers and chaperones on the trailers.

This request was approved.

[23-163](#)

Consider the purchase of traffic cabinets for two intersections

City Manager Corder said this is the purchase of two traffic cabinets for the intersections of Lovers Lane & Preston Road and University Blvd. & Preston Road. These traffic cabinets contain all the hardware (computers, backup battery systems, and other necessary components) that controls the traffic signal. The cabinets are custom built for the City of University Park and have a long lead time, so the cabinets are ordered prior to the start of any work. The cabinets will be purchased from Paradigm Traffic Systems in the total amount of \$66,000. The purchase is via a BuyBoard cooperative contract that satisfies the statutory competitive bidding process.

This purchase was approved.

[23-164](#)

Consider award for installation services - traffic signal equipment

City Manager Corder said that this contract is for installation services of the traffic signal equipment at the following intersections:

Lovers Lane / Airline Road
Lovers Lane / Hillcrest Ave.
Daniel Ave. / Airline Road
Lovers Lane / Baltimore Drive
Lovers Lane / Turtle Creek
Preston Road / Glenwick Lane

The traffic detection cameras, aluminum signs, and cabling to be installed were purchased earlier this year. Iteris, Inc. is the installation vendor, and the total cost for the contract is \$272,482.56. The contract is via the Buyboard cooperative purchasing program and satisfies statutory competitive bidding requirements.

This contract was approved.

[23-167](#)

Consider adopting updated Centennial Master Plan priorities

City Manager Corder said that this will update the City Council's priorities as outlined in the Centennial Master Plan.

Two of the items in the plan have been completed: the framework for communication between SMU, HPISD, and the City, and the funding and implementation of upgrades to the traffic pre-emption system that makes the signals change when emergency vehicles go through the intersection.

At the City Council's request, five items will be added to the priority list:

1. Establish a tree ordinance to protect mature, healthy trees
2. Develop regulations to govern private and public drone use in University Park
3. Make SMU "Our University" Campaign
4. Create a new community program to coincide with public improvements that seek to revitalize existing retail centers
5. Create a resident committee that would advocate for private and public art and its placement throughout the City

The Centennial Master Plan priorities were updated.

[23-151](#)

Consider a resolution approving the FY24 Interlocal Agreement for Food Establishment Inspection and Environmental Health Services between Dallas County Health and Human Services and the City of University Park

City Manager Corder said this resolution will approve an annual contract with Dallas County for food establishment inspections. This year, Dallas County is raising the inspection fee to \$210 per term, an increase of \$60, so the City will pass through the increase in its health permit fee. This contract is for the inspection of restaurants in the City.

He said that there is also a change in the state law so that mobile food trucks will no longer be permitted through the City, but instead will be permitted through the County. The City has not issued health permits to mobile food trucks since September 1.

This resolution was approved.

Enactment No: RES No. 23-015

[23-166](#)

Consider a resolution appointing members to the Southwest Higher Education Authority and the Texas Higher Education Authority

City Manager Corder said that this resolution appoints new members to the Southwest Higher Education Authority (SWHEA) and the Texas Higher Education Authority (THEA). This long-standing authority was established by the City and its purpose is to help finance projects for universities in Texas. It has been used for projects at SMU and other institutions. The City acts as a conduit agency for debt that can go towards a public use on a campus. The City has been approached about refunding debt for SMU, and the authority needs to meet. This resolution will appoint Olin Lane, Bob Clark, Randy Biddle, Bob Begert, and Dawn Moore to join current SWHEA/THEA members Jim Johnston and Gage Prichard.

This resolution was approved.

Enactment No: RES No. 23-019

[23-162](#)

Consider the minutes of the August 29, 2023 and the September 5, 2023 City Council meetings, with or without correction

The minutes from August 29, 2023 and September 5, 2023 were approved.

Approval of the Consent Agenda

A motion was made by Councilmember Aldredge, seconded by Councilmember Myers, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Farley, Mayor Stewart, Councilmember Aldredge, Councilmember Philbin, and Councilmember Myers

IV. MAIN AGENDA

Mayor Stewart said that the City Council would like to postpone consideration of agenda Item 23-175 and Item 23-148. He recognized several speakers in attendance.

Susan Lewis said that she and her husband Rick own Logos Bookstore at 6713 Snider Plaza. She noted that parking remains the number one problem in Snider Plaza. They appreciate the efforts made by the City Council to improve the shopping center.

Mayor Stewart recognized Alan Stewart, 4233 Colgate. Mr. Stewart said that he wanted to speak about the Holmes Aquatics Center - Phase II. He announced that advocates for building Phase II have created a website to educate the public about the proposed facility. He also revealed that William and Karen Pardoe have pledged \$1 million to help fund the Phase II project. Mr. Pardoe was a member of the Parks Advisory Committee when it was founded in 1986 and was president of Lamberts and the Bill Pardoe landscape company. He noted that this is the third attempt to build the Phase II portion at the Holmes Aquatics Center.

[23-178](#)

Continuation of Public Hearing: FY2024 Budget

Director of Finance Tom Tvardzik continued the public hearing from the September 5 City Council meeting by recapping the proposed FY24 budget. He encouraged residents to read the City Manager's budget letter on the City's website.

There were no speakers, so Mayor Stewart closed the public hearing.

[23-179](#)

Public Hearing on proposed Tax Year 2023 (FY2024) Tax Rate

Mayor Stewart opened the public hearing on the proposed Tax Year 2023 (FY24) Tax Rate

Director of Finance Tom Tvardzik said that this public hearing is required per the Texas Tax Code. He said that on August 8, the City Council adopted a 2023 maximum proposed tax rate of 23.8613 cents per \$100 of taxable value. Staff is proposing a lower rate of 23.6226 cents per \$100 of taxable value.

He showed how the property tax rate is calculated, and he provided the A11 Home (average, single-family home) example. He said that with this tax rate, there will be a \$223 property tax increase for the A11 Homeowner in University Park.

There were no speakers, so Mayor Stewart closed the public hearing at 5:47 p.m.

Mayor Stewart read from a script: "The City Council has held the required public hearings regarding the proposed fiscal 2024 budget and tax rate. We have viewed presentations on the proposed budget and tax rate and have held public hearings on each. Notices regarding these public hearings were published on the City's website and in the Daily Commercial Record. At this time, I would like to ask our Finance Director to walk us through four of the next five budget-related items. We will vote on each item individually."

[23-180](#)

Consider approval of an ordinance adopting the FY2024 budget

Director of Finance Tom Tvardzik said, "Item 23-180 is the ordinance adopting the Fiscal Year 2024 Budget. The budget totals \$65,817,493, which is an 7.4% increase from fiscal 2023. If approved, this budget will take effect October 1, 2023. Relevant aspects of the proposed budget have been reviewed and approved by three different City Advisory Committees - the Finance Advisory Committee, the Employee Benefits Committee and the Property, Casualty and Liability Committee. The fiscal 2024 budget and related tax rate information have remained posted on the City website, and have been the subject of at least one public hearing each, in accordance with Texas law."

A motion was made by Mayor Pro Tem Liz Farley, seconded by Councilmember Mark Aldredge, to approve the ordinance adopting the fiscal year 2024 budget. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Farley, Mayor Stewart, Councilmember Aldredge, Councilmember Philbin, and Councilmember Myers

Enactment No: ORD No. 23-019

[23-181](#)

Consider ratification of Tax Year 2023 (FY2024) tax revenue increase

Director of Finance Tom Tvardzik said: "The next item is 23-181 - to consider ratification of the Tax Year 2023 (FY2024) tax revenue increase. Now that the Fiscal Year 2024 budget has been approved, Texas Local Government Code section 102.007(c) requires the City Council take a separate vote ratifying the property tax increase reflected *in* the budget. The legislatively mandated statement of increase was included in the Notice of Public Hearing on the FY2024 Proposed Annual Budget, as published in the August 21st edition of the Daily Commercial Record, the newspaper of record for University Park. The statement is also included on the cover of the City Manager's Fiscal Year 2024 budget. The statement requiring ratification reads as follows:

"THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$1,957,621, OR 8.4%, AND OF THAT AMOUNT, \$278,651 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR."

Tom pointed out that the increase of 8.4% in tax revenues was achieved by utilizing the incremental tax rate that remained unused since Senate Bill 2 was adopted for calendar 2020. Even after the addition of the unused increment, the tax rate needed to generate the necessary revenues remains below the calculated "Voter-Approval Tax Rate".

A motion was made by Mayor Pro Tem Liz Farley, seconded by Councilmember Mark Aldredge, to ratify the tax revenue increase of \$1,957,621 as reflected in the fiscal year 2024 budget. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Farley, Mayor Stewart, Councilmember Aldredge, Councilmember Philbin, and Councilmember Myers

[23-182](#)

Consider approval of an ordinance levying the Tax Year 2023 (FY2024) property tax rate

Director of Finance Tom Tvardzik said: "Item 23-182 is the ordinance levying the 2023 tax rate, necessary to implement the fiscal 2024 budget. Please note the proposed rate of 23.6226 cents per \$100 of taxable value is almost a full penny, or 4%, lower than the rate levied in the prior year. As a result, property taxes on a hypothetical \$100,000 property will decrease by \$9.75 under the new rate, absent any change in the home's taxable value.

Also, note that while the proposed tax rate is 1.95 cents (or 9.0 %) higher than the calculated "No New Revenue" rate of 21.6697 cents per hundred, it does not exceed the calculated "Voter Approval Rate" of 23.8613 cents per hundred, and is not therefore subject to a later vote or recall.

Finally, an unused tax rate increment of approximately ¼ penny between the Voter Approval Rate and the rate enacted this evening will remain, and be available to the City next year, if necessary."

A motion was made by Mayor Pro Tem Liz Farley, seconded by Councilmember Mark Aldredge, that the property tax rate be increased by the adoption of a tax rate of 23.6226 cents per hundred dollars of taxable value, which is effectively a 9.01 percent increase in the tax rate. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Farley, Mayor Stewart, Councilmember Aldredge, Councilmember Philbin, and Councilmember Myers

Enactment No: ORD No. 23-020

[23-183](#)

Consider an ordinance adopting Fee Schedule changes for FY2024

Director of Finance Tom Tvardzik said: "Item 23-183 is an ordinance adopting various Fee Schedule changes required in the FY2024 Budget. The most significant changes are a 22% increase in water rates necessitated by a cost pass-through from our water supplier, the Dallas County/Park Cities Municipal Utility District, a 7.5% increase in Sanitation fees due in large part to a turnaround in the market for recycled materials, and the third of five programmed yearly increases in the Stormwater rate necessary to achieve a level of revenue sufficient to repay our revenue-backed debt.

These changes are incorporated in the fiscal 2024 budget, and will go in to effect on October 1, 2023, if passed."

A motion was made by Mayor Pro Tem Liz Farley, seconded by Councilmember Mark Aldredge, to approve this ordinance adopting fee schedule changes for FY2024. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Farley, Mayor Stewart, Councilmember Aldredge, Councilmember Philbin, and Councilmember Myers

Enactment No: ORD No. 23-021

[23-173](#)

Consider FY2024 Pay Plan Ordinance

Director of Human Resources Cheree' Bontrager said that the Human Resources Department worked with Public Sector Personnel Consultants to study current employee classifications and review employee compensation for FY24. Based on this review, she said they recommended salary adjustments as follows:

- **Merit** ("step") increases - \$495,000
- **Cost of Living Adjustment**- \$225,000 (civilian, 2%)
- **Market Adjustments** :
 - \$84,000 civilian positions (24 positions/33 individuals)
 - \$358,000 sworn personnel - 5% (includes 2% COLA and 3% Market)
- **Reclassifications** - \$69,000 (13 positions/16 individuals)
- **Add'l Position** - \$76,000
- **City Manager**- 3% Market Adjustment/Merit Increase

Cheree' said that the Employee Benefits Advisory Committee reviewed and approved these proposed changes at its July 25 meeting.

A motion was made by Councilmember Mark Aldredge, seconded by Mayor Pro Tem Liz Farley, to adopt this ordinance. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Farley, Mayor Stewart, Councilmember Aldredge, Councilmember Philbin, and Councilmember Myers

Enactment No: ORD No. 23-022

[23-165](#)

Consider holiday ordinance amendment

Director of Human Resources Cheree' Bontrager spoke about amending the holiday ordinance to add the Juneteenth holiday.

She said that the average number of holidays for University Park's comparator cities is 10, and three of 11 comparator cities currently observe Juneteenth. The average number of holidays for 128 cities across Texas is 12, and 67 of the 128 are closed on Juneteenth.

In addition, she recommended a minor change that would remove language from the ordinance about how holidays are paid and move it to the administrative orders.

Cheree' said that the Employee Benefits Advisory Committee reviewed and approved this proposed additional holiday at its July 25 meeting.

A motion was made by Councilmember Bob Myers, seconded by Councilmember Mark Aldredge, to adopt this ordinance. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Farley, Mayor Stewart, Councilmember Aldredge, Councilmember Philbin, and Councilmember Myers

Enactment No: ORD No. 23-024

[23-175](#)

Consider Holmes Aquatic Center Phase II Architect Design Services

A motion was made by Mayor Pro Tem Farley, seconded by Councilmember Myers, to postpone consideration of this item. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Farley, Mayor Stewart, Councilmember Aldredge, Councilmember Philbin, and Councilmember Myers

[23-176](#)

Consider Award for Consulting Services to Dunaway Associates for Goar Park Master Plan and Gazebo Concept development

Director of Parks and Recreation Sean Johnson said that this is a proposed contract with Dunaway & Associates to prepare a Goar Park master plan and pavilion concept study. Their fee for the Goar Park Master Plan is \$58,500, and the scope of services will include:

- Data Gathering & Program Confirmation
- Site Review
- Conceptual Development
- Final Master Plan, Cost Estimate and digital 3D model

The City's Centennial Celebration Legacy Advisory Group and Planning/Action Group decided that improving and enhancing the Goar Park Pavilion and other areas within Goar Park would be a good legacy project to commemorate the City's 100th anniversary.

Sean said that they hope construction will begin on this project in mid-July 2024.

A motion was made by Councilmember Phillip Philbin, seconded by Councilmember Bob Myers, to approve this contract with Dunaway & Associates in the amount of \$58,500. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Farley, Mayor Stewart, Councilmember Aldredge, Councilmember Philbin, and Councilmember Myers

[23-174](#)

Consider a professional services addendum for the Miracle Mile Project

City Engineer Katie Barron said that Huitt Zollars currently has a design services contract for the Miracle Mile Reconstruction Project. She said that the City Council is interested in the potential installation of a Hybrid Pedestrian Beacon System (HAWK) for a protected pedestrian crossing on the Miracle Mile at the intersection of Lomo Alto and Lovers Lane. She said that Huitt Zollars submitted a proposal in the amount of \$57,090 to evaluate the feasibility of this system at this intersection and plan necessary modifications to incorporate the system.

Mayor Pro Tem Farley asked if Dallas County will pay its half for this addition to the contract. Katie said yes.

A motion was made by Councilmember Phillip Philbin, seconded by Mayor Pro Tem Liz Farley, to approve this professional services addendum. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Farley, Mayor Stewart, Councilmember Aldredge, Councilmember Philbin, and Councilmember Myers

[23-177](#)

Consider purchase of Digital Evidence Platform to include Fleet and Body Cameras and two law enforcement drones

Chief of Police Bill Mathes said that digital video evidence has become a mainstay for police departments. AXON is the City's current provider, and the current agreement is set to expire in December 2024. The department looked at renewing the contract plus adding some drones.

Currently, the University Park Police Department has body cams, dash cams, and interview room cams. Chief Mathes said that the body and in-car cameras are used for all officer-initiated contacts, all domestic calls, disturbances, loud parties, and in-progress offenses, any call that an officer believes could become controversial or result in a citizen complaint, investigative interviews, mental health interventions, and Driving While Intoxicated arrests.

Chief Mathes said that the department is interested in adding law enforcement drones, and he listed the allowed uses per state statute.

Chief Mathes said that the department would like to renew their contract early to take advantage of good pricing. AXON is proposing a 10-year agreement with locked pricing for body and in-car cameras. They will also add two free drones with licensing and support. The camera equipment will also be replaced several times during the contract as part of the pricing. Chief said that there will be 11 installments totaling \$960,572.10

He said that the Public Safety Advisory Committee recommended approval of this purchase at its meeting on August 24.

Mayor Stewart said he's in favor of the body cams. Councilmember Philbin asked about the Chinese company that manufactures these drones and if there are any possible security issues with the videos and data created. Chief said he researched this subject and got assurance from AXON that the devices are secure and that the manufacturer has no access to our networks. Additionally, with assistance from the Information Services Department, they could set up an independent server so that the digital video doesn't touch the rest of the City's network. He feels that the drones are safeguarded from hacking.

Mayor Pro Tem Farley said she is proud of University Park's public safety response time, and wants to reassure residents that use of drones will not replace officers.

A motion was made by Councilmember Bob Myers, seconded by Councilmember Phillip Philbin, to approve this purchase. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Farley, Mayor Stewart, Councilmember Aldredge, Councilmember Philbin, and Councilmember Myers

[23-172](#)

Consider an Ordinance amending the International Residential Code, Sections R505.5 and 505.5.1 regarding permit extensions and fees

Director of Community Development Patrick Baugh said that this ordinance was prepared following direction from the City Council at its meeting on September 5. The ordinance requires that major residential construction project permits expire 24 months from the issuance date. The purpose of the permit limits and fees is to motivate builders to complete construction projects on schedule and limit impact to the neighborhood. The issue of new residential major construction schedules was referred to the Zoning and Development Advisory Committee (ZADAC), and it recommended advising neighbors of project scheduling. Pat said that this recommendation has been implemented.

Mayor Stewart said he'd like to postpone action until local builders can be consulted about the impact of these permit time limits and associated fees. Councilmember Philbin said he appreciated the work that Community Development has done to present these recommendations and still feels that this is a serious issue that needs a solution. Mayor Pro Tem Farley said she would still like to consider an 18-month time limit on residential construction permits. She said that the whole intent is to shorten construction time for the neighbors, not to collect fees.

A motion was made by Mayor Tommy Stewart, seconded by Mayor Pro Tem Liz Farley, to postpone consideration of this ordinance. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Farley, Mayor Stewart, Councilmember Aldredge, Councilmember Philbin, and Councilmember Myers

[23-148](#)

Consider revised limits of construction for the proposed Snider Plaza Surface Improvements Concept Plan

A motion was made by Mayor Pro Tem Farley, seconded by Councilmember Myers, to postpone consideration of this item. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tem Farley, Mayor Stewart, Councilmember Aldredge, Councilmember Philbin, and Councilmember Myers

V. PUBLIC COMMENTS

Cilé McCormick, 3526 Caruth, told the City Council that she had submitted a petition asking that no surface parking be removed from Snider Plaza, and she asked that the City spray for mosquitoes.

VI. ADJOURNMENT

As there was no further business, Mayor Stewart adjourned the meeting.

Considered and approved this 3rd day of October, 2023:

Tommy Stewart, Mayor

ATTEST:

Christine Green, City Secretary