



# City of University Park

City Hall  
3800 University Blvd.  
University Park, TX 75205

## Meeting Minutes City Council

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Tuesday, September 5, 2023

5:00 PM

Council Chamber

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### EXECUTIVE SESSION

2:00 - 4:00 P.M. In compliance with the Texas Government Code, the City Council met in closed session to discuss the following items: 1) Evaluation of the City Manager (Deliberation Regarding Personnel Matters - TGC§ 551.074); 2) Snider Plaza improvement project scope of work (Consultation with City Attorney - TGC§ 551.071); 3) City of University Park, Texas et al. v. Herschel Hawthorne, LLC et al. pending in the 44th Judicial District Court of Dallas County, Texas (Consultation with City Attorney - TGC§ 551.071); and 4) Potential Purchase of Property on Fondren (Deliberation Regarding Real Property - TGC§ 551.072). No action was taken. Livingston Conference Room, 1st floor, City Hall.

### PRE-MEETING WORK SESSION(S)

4:00 - 4:15 P.M. The City Council met in open work session to receive a report from Director of Community Development Patrick Baugh regarding time limits on residential construction permits. No action was taken. Council Conference Room, 2nd floor, City Hall.

[23-159](#) Discuss elements and effect of a draft ordinance amending the International Residential Code, 2021 Edition to establish a period of permit validity for residential construction, adding allowable extensions and associated fees

4:15 - 4:20 P.M. The City Council met in open work session to receive a report from Interim Director of Public Works Jodie Ledat regarding a request to keep the temporary Residential Parking Only All Times designation for the 3000 block of Rosedale and along Rosedale. No action was taken. Council Conference Room, 2nd floor, City Hall.

[23-154](#) Discuss a request to keep the temporary Residential Parking Only All Times designation for the 3000 block of Rosedale and along Rosedale

4:20 - 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

Rollcall

**Present:** 5 - Mayor Pro Tem Liz Farley, Mayor Tommy Stewart, Councilmember Mark Aldredge, Councilmember Phillip Philbin and Councilmember Bob Myers

- A. INVOCATION: Mayor Tommy Stewart
- B. PLEDGE OF ALLEGIANCE: Mayor Tommy Stewart / 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, Special Projects Coordinator Amanda Hartwick, Communications & Marketing Specialist Paige Ruedy, Fire Chief Randy Howell, Chief of Police Bill Mathes, Director of Human Resources Cheree' Bontrager, Director of Finance Tom Tvardzik, Purchasing Manager Elizabeth Anderson, Interim Director of Public Works Jodie Ledat, Director of Community Development Pat Baugh, and Assistant City Manager Shanna Sims-Bradish.

## II. AWARDS AND RECOGNITION

None

## III. CONSENT AGENDA

### [23-160](#)

Consider approval of Atmos Energy Corporation Negotiated Rate Settlement

City Manager Corder said that this negotiation is an annual process for the cities served by Atmos Energy whereby Atmos requests a rate increase to cover its cost-of-service. University Park is a member of the Atmos Cities Steering Committee, and this group negotiated a settlement in the amount of \$142 million in system-wide revenues, down from Atmos' proposed amount of \$165.9 million. This settlement will increase the average residential customer rate by 7.31% and the average commercial customer rate by 5.19%.

**This resolution was approved.**

Enactment No: RES No. 23-018

### [23-147](#)

Consider an Interlocal Purchasing Agreement with the City of Lewisville

City Manager Corder said that this is an interlocal purchasing agreement with the City of Lewisville. This agreement will allow University Park and Lewisville to make purchases using each others' competitively bid contracts. He said that while there is no specific product or service that the City intends to cooperatively purchase via the City of Lewisville right now, the agreement may be beneficial in the future.

**This purchasing agreement was approved.**

[23-152](#)

Consider a resolution approving an Interlocal Agreement with Dallas County for participation in the Household Hazardous Waste Program in FY24

City Manager Corder said that this is an agreement with Dallas County for the City to participate in its Household Hazardous Waste program. The City has participated in this program since 1994 whereby University Park residents may drop off paint, household chemicals, and other hazardous waste at the County's Plano Road facility. The City budgeted \$35,000 to join the program for FY24.

**This resolution was approved.**

Enactment No: RES No. 23-017

[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

**Consideration of this agreement was postponed to the September 19, 2023 City Council meeting.**

[23-150](#)

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

City Manager Corder said that this is the FY24 Interlocal Agreement (ILA) with Dallas County for coordinated health services. This contract provides services related to the control of tuberculosis and other communicable diseases, as well as public health lab services and immunizations. The annual cost to participate in the program is \$48.

**This resolution was approved.**

Enactment No: RES No. 23-016

[23-149](#)

Consider the minutes from the August 15, 2023 and August 16, 2023 City Council meetings, with or without correction

**The minutes were approved.**

## **Approval of the Consent Agenda**

**A motion was made by Councilmember Aldredge, seconded by Mayor Pro Tem Farley, to approve the Consent Agenda, except for Item 23-151 which is postponed for consideration at the September 19 City Council meeting. 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**

[23-161](#)

## First public hearing - FY2024 Budget

Mayor Stewart opened the public hearing. Director of Finance Tom Tvardzik gave a presentation summarizing the proposed FY24 budget. He said that state statute requires two public hearings on the proposed budget.

He said the City has four budgeted funds: General Fund, Water and Sewer Fund, Sanitation Fund, and the Stormwater Fund

For FY24, the General Fund will increase 7.1%, the Utility Fund will increase 10.2%, and the Sanitation Fund will increase 6.9%.

Tom described the proposed compensation adjustments for FY24:

- Merit (step) increases will total \$498,000
- Cost-of-Living Adjustment (COLA) will be 2% across the board, or 5% for sworn personnel
- Market Adjustments:
  - \$214,000 for civilian positions
  - \$363,000 for Sworn Personnel
- Reclassifications will total \$74,000
- Reconstitution of In-House Construction crew will be \$463,000

Tom said that the City's Texas Municipal Retirement System (TMRS) contribution rate will increase from 8.17% to 8.59% on January 1, 2024. The City's pension is 97.8% funded. The Firefighters Relief and Retirement Fund (FRRF) "level" contribution rate will increase to \$1,450,000 from \$1,365,000.

Tom said that the General Fund revenues are \$40,810,416, and the General Fund expenditures are \$40,810,416 (balanced).

He explained that revenue is comprised of two different pieces: property tax revenue and non-property tax revenue.

Non-property tax revenue for FY24 includes:

- Sales taxes up 9% or \$500,000
- Interest income up 57% or \$400,000

The FY24 budget drops the tax rate by 4% to FY24 \$0.236226 from FY23 \$0.245975. He said that the 2024 Total Certified Taxable Value for property in University Park is +11.69%.

Regarding the Water and Sewer Fund, Tom said that rates are going up in FY24 to cover the cost of water. Revenues are \$20,365,950, and expenditures are \$20,338,784. He said that the cost of water and wastewater is up \$1,390,000. The Dallas County Park Cities Municipal Utility District (DCPCMUD) increased its rates from \$2.96/1,000 gallons to \$3.76/1,000 gallons (+27%).

Sanitation revenues for FY24 are budgeted at \$4,069,400, and expenditures

are budgeted at \$4,068,047. The result is a 7.5% increase in Sanitation rates.

Tom said that the Stormwater Fund is on a five-year phase-in of rate increases to both redeem the debt and pay interest on the FY22 Certificates of Obligation while contributing to dredging and street sweeping programs. The Stormwater Fund revenues for FY24 are budgeted at \$1,147,200, and FY24 expenditures are budgeted at \$600,246. The average customer increase in stormwater charges for FY24 is \$2.22 (from \$10.03 to \$12.25).

Tom noted that there are no changes in the FY24 budget for the Self Insurance Fund, Technology Fund, or Equipment Services Fund.

Tom said that a second public hearing on the budget will be on the September 19 City Council agenda.

As there were no speakers, Mayor Stewart closed the public hearing.

#### 23-148

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

City Manager Corder said that staff recommends postponing consideration of this item to the September 19 City Council meeting.

**A motion was made by Mayor Pro Tem Liz Farley, seconded by Councilmember Mark Aldredge, to postpone consideration of this item to the September 19, 2023 City Council meeting. The motion carried by the following vote:**

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

#### 23-158

Conduct a public hearing regarding amending section 5.1.1 the zoning district use table 5.1 to authorize and regulate "smoke/vape shop" occupancies by specific use permit

Mayor Stewart opened the public hearing.

Director of Community Development Patrick Baugh said that the City Council referred the issue of smoke/vape/tobacco shops to the Zoning & Development Advisory Committee (ZADAC) for review. ZADAC recommended at its January 18, 2023 meeting that staff should initiate a zoning change process with the Planning & Zoning Commission (P&Z) to restrict these businesses from locating within 1,000 feet of public schools, public libraries, parks, and churches, and other smoke shops. The Planning & Zoning Commission (P&Z) conducted a public hearing on the issue at its August 8, 2023 meeting and additionally recommended that smoke shops obtain a certificate of occupancy through a Specific Use Permit (SUP) process.

Pat said that there are currently three of these shops in University Park - two on Hillcrest and one on Lovers Lane. The shops on Hillcrest do not meet the distance requirement from each other, and the shop on Lovers Lane does not

meet the distance requirement from Highland Park High School property. However, only new shops would be required to meet these distance requirements.

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

[23-156](#)

Consider an ordinance amending section 5.1.1 the zoning district use table 5.1 to authorize and regulate "smoke/vape shop" occupancies by specific use permit

Mayor Pro Tem Farley asked about eliminating the shops altogether. City Attorney Dillard said the shops can be regulated but not eliminated.

**A motion was made by Mayor Pro Tem Liz Farley, seconded by Councilmember Bob Myers, to adopt the ordinance to amend section 5.1.1 the zoning district use table 5.1 to authorize and regulate "smoke/vape shop" occupancies by specific use permit, and to specify that they not locate within 2,000 feet of schools, public libraries, parks, and churches. The motion carried by the following vote:**

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

[23-153](#)

Consider a request to abandon two utility easements at 3904 Lovers Lane

Interim Public Works Director Jodie Ledat said that the owner of 3904 Lovers Lane requested to abandon two utility easements - one a 10' stormwater easement and the second a 5' wastewater easement. She said that the City also proposes to acquire an easement for stormwater from the owner. She said if the City Council wants to proceed with the abandonment, staff will have the property appraised and will return to the Council with an abandonment ordinance.

Mayor Pro Tem Farley asked for the width of the lot. Jodie said it is 90' wide. Mayor Pro Tem Farley asked if the lot can be split in any way and redeveloped into different zoning? She noted that the lot is zoned single family. Jody said "no," this lot cannot be divided.

**A motion was made by Councilmember Myers, seconded by Councilmember Aldredge, approved the abandonment request subject to dedication of an additional stormwater easement on the property. 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

None

## VI. ADJOURNMENT

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

Considered and approved this the 19th day of September, 2023:

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Tommy Stewart, Mayor

ATTEST:

\_\_\_\_\_  
Christine Green, City Secretary