

MINUTES
#2616
CITY COUNCIL MEETING
CITY OF UNIVERSITY PARK, TEXAS
CITY HALL COUNCIL CHAMBERS
TUESDAY, AUGUST 1, 2006, 5:00 P.M.

Mayor Blackie Holmes opened the meeting. Present were Mayor Pro Tempore Harry Shawver, Councilmembers Syd Carter and Jerry Grable. Councilmember Kelly Walker was absent and excused. Also in attendance were City Manager Bob Livingston, City Attorney Rob Dillard and City Secretary Nina Wilson.

AWARDS AND RECOGNITION

DEPARTMENT PIN: The five-year department pin for Police Officer Al Rosales was removed from the agenda.

PROCLAMATION: A proclamation declaring September 17-23 as Constitution Week was read by Mayor Holmes. The proclamation will be mailed to the Daughters of the American Revolution.

Councilmember Carter moved approval of the Consent Agenda. Councilmember Grable seconded, and the vote was unanimous to approve the following:

CONSENT AGENDA

CONSIDER APPROVAL OF SHARPESOFT INTEGRATED PROJECT MANAGEMENT SOFTWARE FOR THE ENGINEERING DEPARTMENT: The engineering department has historically used Microsoft Excel to prepare bid items, bid tabs, payments, etc., for each capital improvement project. The Project Management Software stores all project information in one location including bid items, bid advertisements, bid opening information, monthly progress payments, and project change orders. Forms are available within the software to conduct all of the engineering department's bid advertisements, bid tabulations, and monthly pay estimates. The purchase of the software will include compilation of all previous capital improvement project bid tabulations which can then be available for historical reference. The software can also be used to track daily activities for each city's inspector including work completed each day, test results, etc. The SharpeSoft Integrated Project Management Software is \$20,440.

CONSIDER CHANGE ORDER NO. 5 FOR THE TURTLE CREEK BOX CULVERT FOR CITY HALL EXPANSION, PROJECT 43710: Change Order No. 5 includes construction of load transfer beams, excavation to rock elevation of the remaining soil within the limits of the proposed city hall expansion, provision of recycled concrete mix for fill material to the finished subgrade, and preparation of pad site for construction of the building. Change Order No. 5 is \$220,969.

CONSIDER APPROVAL OF CITY COUNCIL MEETING MINUTES: For July 18, 2006.

MAIN AGENDA

CONSIDER RESOLUTION APPOINTING DR. KENNETH C. KILLEN AS CITY HEALTH AUTHORITY: Kenneth C. Killen, M.D., F.A.C.P., has accepted the position of City of University Park Health Authority. He has practiced medicine for the past 32 years, serving as President of Internal Medicine Associates of Dallas for 30 years at the Baylor University Medical Center. He also served on the Quality Assurance Committee and headed the credentials division for 30 years, is a member of the teaching staff and currently maintains staff privileges at Baylor. Dr. Killen attended the University of Texas at Arlington, the University of North Texas, the University of Texas Southwestern Medical School and Baylor University Medical Center. Dr. Killen has been a resident of University Park for the past 14 years. As City Health Authority, he will serve as an advisor to the city council on matters affecting the health of residents and act as liaison with Dallas County Health Authority, Dr. John Carlos, on matters affecting widespread communicable diseases. Mayor Pro Tempore Shawver moved approval of the resolution. Councilmember Carter seconded, and the vote was unanimous to appoint Dr. Kenneth C. Killen as City Health Authority.

RESOLUTION NO. 06-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS, APPOINTING KENNETH C. KILLEN, M.D., AS CITY HEALTH AUTHORITY FOR THE 2006-2008 TERM.

CONSIDER SITE PLAN FOR CHRIST LUTHERAN CHURCH, 3001 LOVERS LANE: A request was made for approval of a detailed site plan which will result in new classrooms for Sunday School and the Child Development Center, a new Fellowship Hall, new kitchen and pantry space, centralized administrative office, more general meeting rooms and large ADA compliant restroom facilities. Mayor Pro Tempore Shawver moved approval of the site plan for Christ Lutheran Church as Planned Development District 30. Councilmember Grable seconded, and the vote was unanimous for approval of the site plan for Christ Lutheran Church.

CONSIDER APPROVAL OF REQUEST FROM REYNOLDS OUTDOOR TO LOCATE INFORMATION KIOSKS IN SNIDER PLAZA: Council will discuss with merchants and owners in Snider Plazas to get their reaction to the kiosks. Smaller kiosks were suggested, and council would like to have a mock-up installed in Snider Plaza to get residents, owners and merchants' reaction.

PUBLIC HEARING TO AMEND THE COMPREHENSIVE ZONING ORDINANCE TO REQUIRE A FENCE PERMIT, FENCE REQUIREMENTS IN RESIDENTIAL DISTRICTS, AND REGULATING WASTE COLLECTION: Mayor Holmes opened the public hearing. Community Development Manager Harry Persaud presented a PowerPoint presentation. Section 13-100 will be amended to require a permit for any portion of a fence in excess of 25% of the length on any one side. Section 28-105 (1) (d) will require a minimum 8' wide by 3' deep inset for storage and placement of approved trash receptacles on private property, which must be provided parallel to and abutting an alley. Section 11.106 will delete the following provision as redundant: "Applications for building permits for the repair, reconstruction, and erection of a new or existing fence shall contain provisions for the storage and containment of approved

containers on private property and shall be approved by the director prior to issuance of a permit". As there was no further discussion, Mayor Holmes closed the public hearing.

CONSIDER ORDINANCE AMENDING COMPREHENSIVE ZONING ORDINANCE SECTION 13-100 (1), Section 28-105 (1) (d) and Section 11.106: Councilmember Carter moved approval of the amendment. Councilmember Grable seconded, and the vote was unanimous to approve amending the City of University Park Comprehensive Zoning Ordinance.

ORDINANCE NO. 06/19

AN ORDINANCE OF THE CITY OF UNIVERSITY PARK, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF UNIVERSITY PARK, AS HERETOFORE AMENDED, BY AMENDING SECTION 13-100 (1) TO REQUIRE A PERMIT FOR A FENCE; AMENDING SECTION 28-105 (1)(d) TO PROVIDE FENCE REQUIREMENTS IN RESIDENTIAL DISTRICTS; AMENDING SECTION 11.106 (a) REGULATING WASTE COLLECTION; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

PUBLIC HEARING TO AMEND THE COMPREHENSIVE ZONING ORDINANCE TO REGULATE FEATURES ALLOWED IN THE FRONT YARDS OF SINGLE FAMILY DISTRICTS: Mayor Holmes opened the public hearing. In the past, additional items have been installed by property owners in violation of zoning codes. The proposed amendment will expand the list of items and features to be allowed and provide specific standards. Sports and recreational equipment will be allowed in the front yard on a temporary basis not to exceed 30 days in any one calendar year. Mayor Holmes closed the public hearing. Mayor Holmes then moved that the ordinance be revised per council discussion and brought back to a future city council meeting. Mayor Pro Tempore Shawver seconded, and the vote was unanimous to consider the ordinance at a future city council meeting.

CONSIDER ORDINANCE AMENDING COMPREHENSIVE ZONING ORDINANCE SECTION 21-100 (4) (b): The ordinance will be considered at another time.

CONSIDER RIGHT-OF-WAY LICENSE AGREEMENT, 5801 HILLCREST: The developer of a multi-family property at 5801 Hillcrest is nearly complete with construction of a structure that contains an underground parking garage. All below-grade construction in residential units must contain drainage systems that drain through an enclosed pipe into the city's storm water drainage system. The developer opened a trench extending from the property towards the storm water inlet at the intersection of Hillcrest and Potomac. The storm inlet is in the Hillcrest right-of-way, and a license agreement for use of the right-of-way is required. Since the property is a condominium complex with a homeowner's association, the license agreement is between the city and the developer, LTN Properties. However, the license agreement stays with the property regardless of who owns the property. Mayor Holmes moved approval of the Right-of-Way License Agreement for 5801 Hillcrest. Councilmember Grable seconded, and the vote was unanimous to approve the agreement.

CONSIDER CONTRACT AMENDMENT FOR CITY HALL LANDSCAPE: During the initial design phase of the City Hall project, much of the eastern portion of the building's hardscapes was excluded from the building's redesign. Unfortunately, existing drainage issues, deteriorated walkways, and potential ADA compliance issues have required staff to explore corrective measures. The landscape design contract with Newman, Jackson, Bieberstein Landscape Architecture (NJB) should be amended to provide design services to correct building drainage issues and access improvements at the main service entrance at City Hall. The proposal will include design and construction drawings and will be based on an hourly basis not to exceed \$3,000. Councilmember Grable moved approval of the contract amendment. Mayor Pro Tempore Shawver seconded, and the vote was unanimous to approve the contract amendment for the City Hall landscape.

CONSIDER ORDINANCE PROHIBITING IRRIGATION OF LAWNS AND LANDSCAPING BETWEEN 10:00 A.M. AND 6:00 P.M.: The ordinance mandates that water be used for lawn and landscape irrigation in a manner that prevents waste, conserves water resources for their most beneficial and vital uses, and protects public health. It also amends the Code of Ordinances to prohibit watering with automatic irrigation systems between the hours of 10:00 a.m. and 6:00 p.m. The ordinance does allow for hand watering with a hose during the subject period. The irrigation ban will be in effect annually from June 1st through September 30th. Councilmember Carter moved approval of the ordinance prohibiting irrigation of lawns and landscaping between 10:00 a.m. and 6:00 p.m. Councilmember Grable seconded, and the vote was unanimous in support of the ordinance.

ORDINANCE NO. 06/20

AN ORDINANCE OF THE CITY OF UNIVERSITY PARK, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF UNIVERSITY PARK, AS HERETOFORE AMENDED, BY AMENDING SECTION 11.312 TO ADD SUBSECTION (e) TO PROHIBIT THE IRRIGATION OF LAWNS AND LANDSCAPE MATERIALS FROM JUNE 1 THROUGH SEPTEMBER 30 OF EACH YEAR DURING CERTAIN HOURS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH; AND PROVIDING AN EFFECTIVE DATE.

CONSIDER BUDGET FY2007 AND SCHEDULE PUBLIC HEARING: Finance Director Kent Austin presented the budget to the council. Two dates were set for the public hearing on the budget and tax rate: August 22 and September 5, 2006.

CONSIDER ADOPTION OF 2006 PROPERTY APPRAISAL ROLL: Each year by July 25, the Dallas Central Appraisal District provides the city with the certified tax roll. The roll is a list of all property parcels in the city and their associated market and taxable values. The total taxable value then becomes the basis for the city to set its property tax rate for the upcoming budget year. This year's taxable value is \$4,804,267,737, an 11.36% increase from last year's value of \$4,314,149,841. Total market value rose 12.6% to \$6,380,341,170. Of the \$713 million increase in market value, over \$136 million is from new construction compared with \$125 million from the year before. Mayor Pro Tempore Shawver moved approval of the resolution adopting the 2006

Property Appraisal Roll. Councilmember Grable seconded, and the vote was unanimous to approve the resolution.

RESOLUTION NO. 06-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS, ADOPTING THE 2006 APPRAISAL ROLL OF THE DALLAS CENTRAL APPRAISAL DISTRICT FOR THE CITY; AND PROVIDING AN EFFECTIVE DATE.

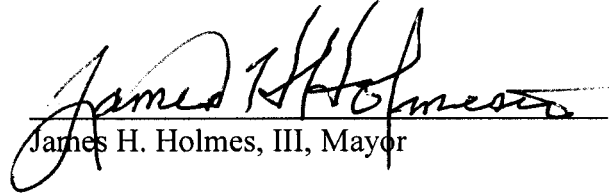
DISCUSS DATE FOR CITY COUNCIL/STAFF RETREAT: The goal of the retreat is to provide a longer period for staff and council to interact, as well as, update strategic goals and vision for the city. John and Carol Nalbandian will conduct the retreat, and their fee is \$5,000 plus reasonable expenses. The retreat will be Thursday, January 25th and Friday, January 26th. The location and time will be set at a later date.

ITEMS FROM THE FLOOR

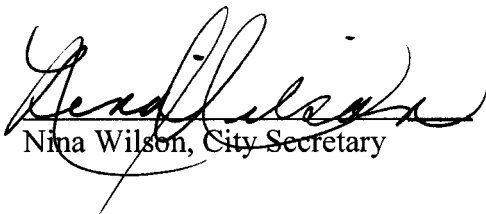
Kitty Ritchie Holleman asked that a hold be put on building permits in order to stop the building of "McMansions". Mayor Holmes informed Ms. Holleman that a date for a public hearing to discuss the amount of building on lots would be set at the August 22 city council meeting.

There being no further business, Mayor Holmes adjourned the meeting.

PASSED AND APPROVED this 22nd day of August 2006.


James H. Holmes, III, Mayor

ATTEST:


Nina Wilson, City Secretary