



# City of University Park

City Hall  
3800 University Blvd.  
University Park, TX 75205

## Meeting Minutes City Council

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Tuesday, February 16, 2021

5:00 PM

Virtual - GoToMeeting

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### EXECUTIVE SESSION

*3:00 - 4:00 P.M. Pursuant to TGC§ 551.071, the City Council met in closed session to consult with the City Attorney regarding 1) creation of a Public Improvement District (PID) in Snider Plaza; and 2) code enforcement issues regarding the 3400 block of Asbury. No action was taken. Virtual via GoToMeeting*

### PRE-MEETING WORK SESSION(S)

*4:00 - 4:15 P.M. The City Council met in open work session to receive a report from Chief of Police Bill Mathes regarding the University Park Police Annual Traffic Stop Analysis. No action was taken. Virtual via GoToMeeting*

#### 21-020

#### University Park Police Department Annual Traffic Stop Analysis

Police Chief Bill Mathes reviewed the University Park Police Annual Traffic Stop Analysis as performed by Justice Research Consultants, LLC (JRC). He summarized their findings that the University Park Police Department is in full compliance with the law as it relates to racial profiling; that a formal policy prohibiting racial profiling is in place; that officers receive mandated training on this subject and that the agency has established programs to educate the public about racial profiling and how to file a complaint; that a formalized complaint process is in place and that the collection of data is carried out in compliance with the law.

*4:15 - 5:00 P.M. The City Council met in open work session to receive agenda item briefings from staff. No action was taken. Virtual via GoToMeeting*

### I. CALL TO ORDER

**Present:** 5 - Councilmember Randy Biddle, Mayor Pro Tem Gage Prichard, Councilmember Liz Farley, Mayor Tommy Stewart and Councilmember Mark Aldredge

- A. INVOCATION: City Attorney Rob Dillard
- B. PLEDGE OF ALLEGIANCE: City Attorney Rob Dillard
- C. INTRODUCTION OF COUNCIL: Mayor Tommy Stewart

**D. INTRODUCTION OF STAFF: City Manager Robbie Corder**

Staff in attendance included City Attorney Rob Dillard, Assistant Human Resources Director Cheree' Bontrager, Assistant City Manager Lea Dunn, Director of Marketing & Communications Steve Mace, Director of Public Works Jacob Speer, Director of Finance Tom Tvardzik, Public Works Operations Manager Jodie Ledat, Director of Parks & Recreation Sean Johnson, Chief of Police Bill Mathes, Special Projects Coordinator Amanda Hartwick and City Secretary Christine Green.

**II. CONSENT AGENDA****21-025**

Consider final payment to JM Management for the Peek Service Center project

City Manager Corder said that this is a final payment to JM Management LLC in the amount of \$38,667.35 for maintenance and repair to the roof and walls of the Peek Service Center warehouse building at 4419 Worcola.

**This final payment was approved.**

**21-030**

Consider approval of an ordinance amending FY2020 Executive Department budget.

City Manager Corder said that this is a FY20 budget amendment for an unbudgeted item related to the exchange of city-owned property at 3424 Haynie for property at 3424 Rankin near Snider Plaza that the City Council approved. This amendment is in the amount of \$650,388.90.

**This ordinance was adopted.**

Enactment No: ORD No. 21-003

**21-026**

Consider approval of the minutes of the February 2, 2021 City Council meeting, with or without corrections.

City Manager Corder said that earlier in the Work Session, the Council made some changes in the February 2 minutes to the discussion regarding the abandonment of obsolete sanitary sewer mains along Golf Drive and Turtle Creek Boulevard.

**The minutes were approved with the recommended changes.**

**Approval of the Consent Agenda**

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

**Aye:** 5 - Councilmember Biddle, Mayor Pro Tem Prichard, Councilmember Farley, Mayor Stewart, and Councilmember Aldredge

### III. MAIN AGENDA

#### 21-028

Consider a request by AT&T Wireless Services for an exception to the pole placement criteria outlined in the City's Design Manual.

Director of Public Works Jacob Speer said that state statute allows wireless network providers to install small-cell sites, or network nodes and node support poles within public rights-of-way. These are intended to provide enhanced coverage and bandwidth to customers, while also minimizing the visual impacts of the equipment on residents. He said that unlike the large cellular antennae like the one behind City Hall, these network nodes are small enough to be installed on existing utility poles. In residential areas, these small cell sites are seen as a less intrusive way to enhance cell coverage.

State statute allowed the City to approve a design manual adopted from the Texas Local Government Code that spells out the size of the equipment and where the equipment can be located. Utility companies are required to apply for a permit with the City before installing equipment. City staff reviews these permit applications for conformity with the design manual and with state law. When an application doesn't comply, staff informs the company, and the company usually looks for an alternate solution.

Jacob said that this application from AT&T is in an area where they have been unable to come up with an alternate design that meets the design manual criteria and their coverage needs. The 7100 block of Thacker between Lovers Lane and Amherst near UP Elementary is generally where AT&T wants to put a small cell site. The design manual requires an existing utility pole, but none of the existing poles in this area were candidates for the small cell site. They can't place a new pole within 300 feet of an existing pole, and the installation can't be on a narrow residential street, so staff denied the request.

Jacob said that AT&T is asking the Council to consider an exception to the design manual standards. AT&T is trying to minimize the impact to the neighborhood by requesting to install a new pole that looks similar to the City's antique street light poles with dark bronze finish and a fluted base. They want to shroud the antennae and put the electric meter in the base of the pole to minimize the visual impact.

Mayor Pro Tem Prichard said he prefers that AT&T look at another location for this installation where they can use an existing pole. Councilmember Aldredge asked if the proposed pole would comply with the design manual if it could be moved to Thacker and Lovers Lane or adjacent to the UP Elementary playground. Jacob said that the design manual outlines several areas in the City that are off limits. In this area on Lovers Lane, the City already undergrounded the utilities, so they don't want to add a new pole where poles were deliberately removed as part of another project.

Councilmember Farley clarified that other providers would also want their own poles. So, if the City allows this exception, other providers might want to

service this area with a special exception. Jacob said that's right, staff asked this question of other providers, and they can't co-locate with other carriers. The poles only support one carrier, and state statute limits only one node or antenna per pole. Councilmember Farley said that there are only six or seven houses there within 300 feet along with UP Elementary, so there aren't many customers being served by this installation. Jacob said that's correct, each small equipment site serves a relatively small number of customers.

**A motion was made by Councilmember Liz Farley, seconded by Mayor Pro Tem Gage Prichard, to deny this request. The motion carried by the following vote:**

**Aye:** 5 - Councilmember Biddle, Mayor Pro Tem Prichard, Councilmember Farley, Mayor Stewart, and Councilmember Aldredge

#### 21-029

Consider approval of a contract with CDM Smith Engineers to meet the requirements of the America's Water Infrastructure Act (AWIA).

Public Works Operations Manager Jodie Ledat said this is a contract with CDM Smith Engineers in the amount of \$99,720 to meet the requirements of the America's Water Infrastructure Act (AWIA) by preparing and submitting a Risk and Resilience Assessment (RRA) and an Emergency Response Plan (ERP) this year.

Jodie said that the City's current vulnerability assessment and emergency response plan were developed in 2004 to comply with the Bioterrorism Act of 2002. The AWIA of 2018 requires a broader view of hazards including cyber and natural hazards and malevolent acts. The assessments consider physical infrastructure as well as system monitoring, operation and maintenance of the system, chemical handling, and financial infrastructure. She said that the emergency response plan will include strategies to improve resilience of the water system, plans and procedures to be implemented in the event of a threat or hazard, actions and procedures to lessen the impact on public health, and strategies to be used in the detection of threats and hazards.

The Dallas County Park Cities Municipal Utility District uses CDM Smith Engineers for the same assessment, so staff recommends using the same firm to be consistent and to coordinate efforts.

**A motion was made by Councilmember Randy Biddle, seconded by Councilmember Mark Aldredge, to approve this contract. The motion carried by the following vote:**

**Aye:** 5 - Councilmember Biddle, Mayor Pro Tem Prichard, Councilmember Farley, Mayor Stewart, and Councilmember Aldredge

#### 21-027

Staff report and discussion on recycling

Public Works Operations Manager Jodie Ledat gave a presentation. She said that the Council had discussed this topic at its November 3 meeting as they considered the FY21 recycling contract with FCC Materials for \$65,000. Council directed staff to review the disposal methods of the materials recovery facility (MRF), operated by FCC, to ensure the material collected in

the city is recycled.

She said that staff performed an audit of FCC's outbound sales for the previous 12 months. Jodie said that their records show that the facility has sold all classes of material accepted at the facility. At times, the value for this material was significantly depressed, but the material was sold to packaging, paper, glass and recycling companies.

She also gave an overview of the recycling market generally. There is a depressed commodity market nationally. In many communities there is now a processing fee. According to a report by The Recycling Partnership, recycling processing fees across the US average \$64 per ton. University Park pays a fee of \$20 per ton. A lot of communities are increasing the recycling fee to their residents. The average recycling fee in the southwestern region is \$72.39 per year, about \$2 higher than other regions in the US. The monthly fee for University Park residents is \$4.08, or \$48.96 per year.

Jodie noted that recycling is identified as a Master Plan topic, and staff anticipates some recommendations from that effort on how to structure future recycling programs and contracts. However, they are preparing the FY22 budget and will need direction soon on how to budget for recycling in the coming year. The current terms with FCC Recycling are set through September 2021. Jodie said that with this timeframe, staff will return to Council later this year for direction on how to proceed with the recycling program in FY22.

Mayor Stewart said they've talked about recycling for quite a few years. Robbie added that earlier in the Work Session, Mayor Pro Tem Prichard asked to research the idea of eliminating recycling service altogether due to the cost.

#### [21-024](#)

Staff overview of the pilot program for use of HPISD athletics fields in spring 2021.

Director of Parks & Recreation Sean Johnson gave a presentation. He said that University Park's park facilities have been in increasing demand, especially with COVID-19 and social distancing requirements presenting new challenges. Sean said that he and Parks Department staff met recently with the Highland Park Independent School District's (HPISD) Superintendent's Office to discuss how to build on their existing partnership for use of recreational facilities.

The City and HPISD have a 2006 interlocal cooperation agreement for use of each other's facilities. The terms and conditions allow each entity to request use of facilities as long as it doesn't interfere with existing needs.

Sean said that the entities agreed on implementing a pilot program that will allow the City to use University Park Elementary on a weekly basis for athletic practices, games and competitions during non-school hours. Upon conclusion of this pilot program, the entities will determine if there is a need to execute a separate interlocal agreement.

The pilot program will begin on March 1 and will continue through late May.

Councilmember Aldredge complimented Sean on negotiating this arrangement. Councilmember Farley thanked him for creating this opportunity to partner with the school district. Councilmember Biddle agreed. Mayor Stewart asked if there will any compensation to the school district. Sean said there is no fee for use of the UP Elementary School field under this arrangement. However, on the subject of park user fees, Sean said he thinks that the department's current rates should be reviewed, especially those pertaining to commercial fitness operators and other for-profit ventures.

#### **IV. PUBLIC COMMENTS**

None

#### **V. ADJOURNMENT**

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

Considered and approved this 2nd day of March 2021:

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Tommy Stewart, Mayor

ATTEST:

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Christine Green, City Secretary