



# City of University Park

City Hall  
3800 University Blvd.  
University Park, TX 75205

## Meeting Minutes City Council

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Tuesday, July 2, 2013

5:00 PM

Council Chamber

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### I. CALL TO ORDER

**Present:** 4 - Mayor W. Richard Davis, Mayor Pro Tem Bob Clark, Councilmember Bob Begert and Councilmember Dawn Moore  
**Excused:** 1 - Councilmember Tommy Stewart

### EXECUTIVE SESSION

- A. [13-173](#) 3:31 - 4:17 P.M. The Council convened into closed Executive Session under Government Code Section 551.076 to deliberate the deployment, or specific occasions for implementation, of security personnel or devices. No action was taken. Executive Conference Room, 1st Floor, City Hall.

### PRE-MEETING WORK SESSION(S)

- A. [13-169](#) 4:20 - 5:02 P.M. The City Council convened into open work session to receive agenda item briefings from staff. No action was taken. Council Conference Room, 2nd Floor, City Hall.

- A. INVOCATION: Mayor W. Richard Davis

- B. PLEDGE OF ALLEGIANCE: Mayor Davis / Boy Scouts

- C. INTRODUCTION OF COUNCIL: Mayor W. Richard Davis

*Boy Scout Clay Rejebian, Troop 82, assisted in leading the Pledge of Allegiance. Clay stated he is working on his Communications merit badge.*

- D. INTRODUCTION OF STAFF: City Manager Bob Livingston

*Staff present included: Community Information Officer Steve Mace, Director of Information Services Jim Criswell, Police Chief Gary Adams, Director of Public Works Bud Smallwood, City Secretary Liz Spector, Director of Finance Kent Austin, Director of Parks Gerry Bradley, Assistant Director of Public Works Jacob Speer, Director of Human Resources Luanne Hanford, Library Director Sharon Martin, Director of Community Development Robbie Corder, Assistant to the City Manager George Ertle, Fire Chief Randy Howell and City Engineer Bob Whaling. Also present were police department employees Todd Jenkins, Captain Greg Spradlin, Nancy Escobar, Captain Jim Savage, Lt. Keith Burks, Lt. Bill Mathes, Sgt. John Ball, Robbie Keenan, Dorris Certain, and Dawn Kossmann.*

## II. AWARDS AND RECOGNITION

- A. [13-164](#) Recognition of Construction Inspector Harold Newman's retirement with 12 years of service to the City.
- Director of Public Works Bud Smallwood introduced former employee Harold Newman and thanked him for his service to the City. Mayor Davis gave Mr. Newman a plaque and Mayor Pro Tem Clark gave Mr. Newman a check in recognition of his retirement.*
- B. [13-165](#) Recognition of Police Lieutenant Gerald Bishop's retirement after 26 years with the City.
- Police Chief Gary Adams introduced former UPPD Lt. Gerry Bishop and thanked him for his twenty-six years of service. Mayor Davis gave Lt. Bishop a plaque and Councilmember Moore gave him a check in recognition of his years of service to the City.*

## III. CONSENT AGENDA

**A motion was made by Councilmember Moore, seconded by Mayor Pro Tem Clark, that the Consent Agenda be approved. The motion carried by the following vote:**

**Aye:** 4 - Mayor Davis, Mayor Pro Tem Clark, Councilmember Begert, and Councilmember Moore

- A. [13-167](#) Consider and act on an amendment to the City Manager Employment Agreement
- This Contract was approved.**
- B. [13-168](#) Consider approval of minutes of the June 18, 2013 City Council Meeting
- The Minutes were approved.**

## IV. MAIN AGENDA

- A. [13-102](#) Consider and act on proposed amendments to the Ordinance regulating park facilities usage
- Mayor Davis said the latest draft of the ordinance amending park facilities usage was published on the City's website Friday, June 28, 2013. He stated during the work session that the Council suggested some clean-up language prior to adoption of the ordinance. He said those changes will be detailed in the motion.*
- Councilmember Moore stated the deletion of the sentence is acceptable as long as the ordinance provides authority to the director of parks or his agent to relocate any sports clinic scheduled for longer than one week if deteriorating field conditions merit such relocation. Councilmember Begert stated the ordinance does provide that stipulation.*
- A motion was made by Councilmember Begert, seconded by Mayor Pro Tem**

Clark, that this Ordinance be adopted as amended subject to deletion of the sentence in Section 1.09.153, Sports Clinics, (b) stating: "no park site will be reserved for a sports clinic or clinics for more than one week in any month." The motion carried by the following vote:

**Aye:** 4 - Mayor Davis, Mayor Pro Tem Clark, Councilmember Begert, and Councilmember Moore

Enactment No: ORD No.13/022

**B.**     [13-155](#)

Consider resolution amending master fee schedule

A motion was made by Councilmember Begert, seconded by Mayor Pro Tem Clark, that this Resolution be adopted as amended to include the word "annual" in relation to the fees for sports clinics, trainers and instructors in Section A6.005. The motion carried by the following vote:

**Aye:** 4 - Mayor Davis, Mayor Pro Tem Clark, Councilmember Begert, and Councilmember Moore

Enactment No: RES No.13-007

**C.**     [13-171](#)

Public Hearing on a request to amend the Special Sign District for the Plaza at Preston Center to allow for a specified number of colors for signage within the shopping center.

*Mayor Davis stated that the representatives for the Plaza at Preston Center requested this item be moved to the July 16, 2013 City Council Meeting because they are unable to attend tonight's meeting.*

**Mayor Davis made a motion that the public hearing be postponed to the July 16, 2013 City Council Meeting. The motion carried by the following vote:**

**Aye:** 4 - Mayor Davis, Mayor Pro Tem Clark, Councilmember Begert, and Councilmember Moore

**D.**     [13-172](#)

Consider and act on an ordinance amending the Special Sign District for the Plaza at Preston Center to allow signage to contain not more than ten colors.

**A motion was made by Mayor Davis that action on this Ordinance be postponed until the July 16, 2013 City Council Meeting. The motion carried by the following vote:**

**Aye:** 4 - Mayor Davis, Mayor Pro Tem Clark, Councilmember Begert, and Councilmember Moore

**E.**     [13-175](#)

Consider and act on a request to revise items allowed in required front yards under the City's Comprehensive Zoning Ordinance

*Director of Community Development Robbie Corder addressed the Council regarding a resident request to amend the ordinance addressing objects allowed in front yards. He said the first part of the request relates to whether non-permanent play structures such as toddler swings and slides should be regulated by this ordinance and the second part is whether to allow permanent or semi-permanent structures, such as basketball goals, in front yards. Mr. Corder reminded the Council that in 2006 this issue was studied in-depth by UDADAC and during public hearings at P & Z. He said after receiving P & Z recommendations, the issue went before the Council. He said*

*an ordinance was adopted which provided guidance on items allowed in the front yards. Mr. Corder said permanent or semi-permanent basketball goals are not allowed; however, temporary structures such as trampolines, soccer goals and other non-fixed recreational items are allowed.*

*Resident Erin Schreyer was called to speak. She said she and her family have lived on Colgate for the past two years and recently received a citation for their front-yard basketball goal. Ms. Schreyer said allowing this goal gives children a safe place play where they are in sight of their parents. She said the pole utilizes the safest technology in the market and has no risk of blowing over or falling down. She said the design is sleek, professional and unobtrusive. Ms. Schreyer stated that residents of her block gave unanimous approval of her request to keep the goal. She asked the Council to consider amending the ordinance to include language that allows removable goals. She said keeping children active is healthy, safe and in alignment with other goals of the City.*

*Mayor Davis asked if the Schreyers had room in their side or rear yards to install the basketball hoop. Ms. Schreyer said no. She said children playing near alleys is unsafe.*

*Mayor Pro Tem Clark asked if other types of goals were considered that did conform to the City's ordinance. She said goals fall in to three categories - fully portable goals with bases filled with water or sand, semi-permanent goals like the one she has installed, and finally, fully permanent goals which require the pole to be cemented into the ground.*

*Mayor Pro Tem Clark asked Mr. Corder to explain the process to make this type of change to the Code of Ordinances. Mr. Corder said the City Council could direct staff to conduct a public hearing before P & Z, then forward their recommendation to the Council for another public hearing and possible adoption of an amending ordinance. Mayor Pro Tem Clark asked if there would be any merit in having a citizen committee review the request before sending it to P & Z.*

*Councilmember Begert said the issue had already been thoroughly studied by the Urban Design and Development Advisory Committee, by P & Z and by the City Council.*

*Mayor Davis asked if there were any other comments regarding the discussion item. There were none and Mayor Davis said the item will be carried forward for further discussion to determine whether the item should be returned for action to the Council.*

**F. [13-174](#)**

**Consider approval of a proposal from Tyler Technologies for purchase of the Brazos Electronic Citation Solution**

*Director of Information Services Jim Criswell addressed the City Council. He briefed them on the electronic citation initiative. He said the system will allow traffic tickets to be imported into the City's court software electronically, rather than manually entering tickets as currently done. He said this will reduce error potential as well as free staff to perform other duties.*

*Mr. Criswell said the system he and police department staff have chosen is sold by Brazos Technology and is used by more than 70 Texas cities, including Southlake, Coppell, Keller, and also by Dallas County. He said Police Officer Al Rosales surveyed seven local cities on their electronic ticket systems and five of them used Brazos and all of them highly recommended the system. Mr. Criswell said Brazos Technology representatives met with him, City Manager Livingston, Police Chief Adams, along with other PD and IT staff. Mr. Criswell said it was an impressive*

demonstration.

Mr. Criswell said he recommended the purchase of ten handheld ticketwriters to be issued to traffic enforcement personnel. He said the City's existing five units will be issued to the parking enforcement unit. Mr. Criswell stated that Brazos is a member of the NJPA and meets the bidding requirements of the City. He said the cost is \$87,964 which will be funded through the Court Technology Fund and use no funds from the General Operating Fund. Mr. Criswell said \$4 from every moving violation citation paid to the City's Municipal Court goes into this fund and can only be used for specific purchases. He said this purchase is an allowed use of the Court Technology Fund. He also stated there is approximately \$88,000 in that fund currently and the fund replenishes at approximately \$800 per month.

**A motion was made by Councilmember Moore, seconded by Councilmember Begert, that this Contract be approved. The motion carried by the following vote:**

**Aye:** 4 - Mayor Davis, Mayor Pro Tem Clark, Councilmember Begert, and Councilmember Moore

**G.**     [13-176](#)

Consider and act on resolution renewing City investment policy

*Director of Finance Kent Austin addressed the Council about the annual renewal of the City's investment policy. He said the policy sets guidelines and boundaries in how the City manages and safeguards its investment portfolios. He said there were no legislative changes this year that impacted City investment policies. Mr. Austin said this is simply a renewal with no changes. He said the Finance Advisory Committee recommended City Council approval of the renewal at their June 20, 2013 meeting.*

*There were no questions for Mr. Austin and Mayor Davis asked for a motion.*

**A motion was made by Councilmember Begert, seconded by Mayor Pro Tem Clark, that this Resolution be adopted. The motion carried by the following vote:**

**Aye:** 4 - Mayor Davis, Mayor Pro Tem Clark, Councilmember Begert, and Councilmember Moore

Enactment No: RES No.13-008

**H.**     [13-134](#)

DISCUSS: FY2014 budget calendar

*Kent Austin asked the Council to set dates for the formal budget adoption process. He stated he will formally transmit the budget to the Council and file with the City Secretary on August 6. Mr. Austin asked the Council to provide two meeting dates a quorum will be available to schedule two public hearings. He suggested August 27 and September 3, with possible adoption on September 10.*

*The Council discussed their vacation schedules and it was determined that a quorum will be available on August 27, September 3, September 10 and September 17. Mr. Austin said he will schedule the public hearings.*

**V.       PUBLIC COMMENTS**

*No one wished to address the Council under Public Comments.*

**VI. ADJOURNMENT**

*As there was no further business, Mayor Davis adjourned the meeting at 5:45 p.m.*

*Considered and Approved this 16th day of July 2013:*

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*Mayor W. Richard Davis*

ATTEST:

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*Elizabeth Spector, City Secretary*