



City of University Park

City Hall
3800 University Blvd.
University Park, TX 75205

Meeting Minutes City Council

Tuesday, July 6, 2021

5:00 PM

Council Chamber

EXECUTIVE SESSION

3:30 - 4:00 P.M. Pursuant to TGC§ 551.071, the City Council met in closed session to consult with the City Attorney regarding 1) potential litigation concerning code enforcement action on the 3400 block of Asbury; 2) potential litigation with Gexa Energy. No action was taken. Council Conference Room, 2nd Floor, City Hall.

PRE-MEETING WORK SESSION(S)

4:00 - 4:30 P.M. The City Council met in open work session for a presentation from Sunwest regarding the establishment of a Public Improvement District (PID) in Snider Plaza. No action was taken. Council Conference Room, 2nd floor, City Hall.

4:30 - 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

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

- A. INVOCATION: Director of Public Works Jacob Speer
- B. PLEDGE OF ALLEGIANCE: Director of Public Works Jacob Speer
- C. INTRODUCTION OF COUNCIL: Mayor Tommy Stewart

D. INTRODUCTION OF STAFF: City Manager Robbie Corder

Staff in attendance included Director of Communications & Marketing Steve Mace, IS Application Specialist Thomas Ta, Special Projects Coordinator Amanda Hartwick, Fire Chief Randy Howell, Director of Public Works Jacob Speer, Police Lieutenant Christopher Smith, Chief of Police Bill Mathes, Assistant Chief of Police John Ball, Police Administrative Assistant Dawn Kossmann, former Police Officer Robbie Keenan, Police Officer Nolan Bagwell, Police Lieutenant Victor Williams, Assistant Chief of Police Travis Vavra, Director of Parks & Recreation Sean Johnson, Assistant City Manager Lea Dunn, Director of Community Development Patrick Baugh, Police Sergeant Allison Winn, and her father, former employee George Romo.

II. AWARDS AND RECOGNITION[21-124](#)

Proclamation - Park & Recreation Month

Mayor Stewart read a proclamation designating July as Park & Recreation month in the City of University Park. Director of Parks & Recreation Sean Johnson thanked the mayor and highlighted several upcoming Parks Department activities.

[21-120](#)

Promotion of Police Sergeant Chris Smith to the rank of Lieutenant, Police Officer Rod Edwards to the rank of Sergeant and Police Officer Allison Winn to the rank of Sergeant

Chief of Police Bill Mathes announced three recent promotions in the Police Department and introduced Sergeant Allison Winn and Lieutenant Chris Smith. Sergeant Rod Edwards was unable to attend.

III. CONSENT AGENDA[21-119](#)

Consider approval of the minutes of the June 15 and June 29 City Council meetings, with or without correction

The minutes were approved.

Approval of the Consent Agenda

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

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

IV. MAIN AGENDA

[21-122](#)

Consider potential litigation regarding code enforcement issues on 3418, 3420, 3430, and 3432 Asbury

City Manager Corder said that the Council is asked to consider potential litigation regarding code enforcement issues at various properties in University Park involving the owners, Herschel Hawthorne Holdings, LLC. He said that this is an ongoing item that staff and Council have been discussing.

A motion was made by Mayor Pro Tem Biddle, seconded by Councilmember Prichard, to initiate legal proceedings against various properties in the City of University Park owned by Herschel Hawthorne Holdings, LLC, to compel compliance with various zoning and code of ordinance violations. The motion carried by the following vote:

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

[21-099](#)

Consider an ordinance abandoning street right-of-way adjacent to 6700 Turtle Creek Boulevard

Director of Public Works Jacob Speer gave a presentation about the request to abandon street right-of-way adjacent to 6700 Turtle Creek Boulevard. This was considered by the City Council at the April 20 meeting, and the Council asked staff to obtain an appraisal of the right-of-way. He said that the area is an 8.5' wide strip of land that runs the length of the property. There is an existing structure that currently extends 13.5' into the right-of-way and a fence that extends into the right-of-way. The property owners propose to move the fence back five feet to stay behind the new property line with the proposed abandonment. Jacob said that the owners will have to apply to the Board of Adjustment for a special exception for a fence in the front yard. Other special conditions of this abandonment stipulated by the City Council include:

1. The Owner will construct and maintain the sight triangle required by the Code of Ordinances, free and clear of landscape materials or improvements over 30" in height, at the corner of Turtle Creek Boulevard and Vassar.
2. All landscape material except grass or ground cover shall be removed from the street right-of-way and placed on private property.
3. The Owner will move the existing fence, gate, and associated landscape material back onto private property.
4. Variances of area regulations of the zoning ordinance for further alterations to the fence and gate on private property shall be subject to approval by the Zoning Board of Adjustment.

The right-of-way was appraised at \$177.20 per square foot, or \$300,000 for the total value of the property. Councilmember Farley asked if the City foresees any future use for this 8.5' width of right-of-way. Jacob said that the remaining 5' width of street right-of-way will accommodate any future public utility uses in the area.

A motion was made by Councilmember Farley, seconded by Councilmember Aldredge, that this ordinance abandoning street right-of-way adjacent to 6700 Turtle Creek Boulevard be approved. The motion carried by the following vote:

Aye: 4 - Mayor Pro Tem Biddle, Councilmember Farley, Mayor Stewart, and Councilmember Aldredge

Nay: 1 - Councilmember Prichard

Enactment No: ORD No. 21-018

[21-123](#)

Consider approval of a resolution approving an advertisement of the intent to sell Certificates of Obligation

City Manager Robbie Corder described how in recent years, University Park has designed, planned, and completed several stormwater projects, and that extensive study and hydrological modeling show that the City needs to continue investing in stormwater infrastructure to address urban flooding during storm events. He said that the capital needs identified far exceed the City's ability to fund improvements through its traditional pay-as-you-go financing.

Robbie said that the City has undergone extensive financial planning with citizen advisory committees to address shortfalls in financing capital projects. The Finance Advisory Committee (FAC) and Capital Projects Review Committee (CPRC) recommended that the City take advantage of historically-low interest rates to fund stormwater projects that are planned within the 5-year Capital Improvements Program (CIP). Annual debt service payments will be paid through a series of increases to the City's stormwater fees.

The resolution authorizes the City to advertise its intent to issue certificates of obligation (CO's) in the amount of \$15 million. This notice will be published in the Dallas Morning News.

A motion was made by Mayor Pro Tem Biddle, seconded by Councilmember Prichard, that this resolution be approved. The motion carried by the following vote:

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

Enactment No: RES No. 21-010

[21-118](#)

Discuss participation with Highland Park for costs associated with rehabilitation of the shared sanitary sewer trunk main

Director of Public Works Jacob gave a presentation. He described the 2009 interlocal agreement between the City and the Town of Highland Park regarding the use, operation, maintenance, and obligations related to the 30-inch Turtle Creek Sanitary Sewer Main used by both communities. Under the terms of the agreement, the City and the Town will share equally in the cost of operation, maintenance, and capital improvements for the shared main. He said that a 2018 demonstration of sanitary sewer pipe evaluation on a segment of the shared main revealed that areas of the pipe are significantly deteriorated. The City and the Town selected a Cured In-Place Pipe (CIPP) as the best solution to rehabilitate the pipe. In conjunction with the sewer main rehabilitation, the Town proposes to replace a water main and the street pavement within the project limits on Lakeside Drive. The Town also requests that the City pay 25% of the costs associated with repaving the street as they believe that the deterioration of the street pavement is related to the condition of the sewer main.

Jacob showed photos of the street deterioration. The City's portion of the design of the sewer-only costs is \$135,209 for sewer only. With cost-sharing for the road replacement, the City's portion of the design costs increases to \$186,798. The City's estimated portion of the construction costs for sewer-only is \$700,000. With cost sharing for the road replacement, the construction cost increases to \$1,275,000. He said that based on direction from Council, staff will prepare a resolution outlining the City's financial participation in accordance with the terms of the interlocal agreement. This resolution will be presented for consideration at a future Council meeting.

Mayor Stewart asked about replacement of sewer versus rehabilitation of sewer. Jacob replied that complete replacement is much more disruptive and the Town favors this method. In doing research, Jacob feels confident using the CIPP method will provide as much durability as a complete replacement and said he is comfortable with using this solution. A benefit of a CIPP method is that it doesn't require full street replacement. Councilmember Aldredge said he thinks it might be worth reviewing the full replacement option again if the Town is going to replace the street anyway. Councilmember Aldredge asked what happens if there is an area of pipe that is too far deteriorated when the project begins. Councilmember Farley asked if the CIPP method reduces the diameter of the pipe. Jacob says it does very minimally, but leaves a smooth surface, so water flow is not really impacted.

Councilmember Farley said she is not inclined to share in the costs for the street replacement. Mayor Pro Tem Biddle said he agreed - the City should fulfill its obligation to help pay for the sewer but not for the street. Councilmember Prichard said he thinks the City should consider full replacement and help with street costs, but the City should not help pay for the street if they are not doing a full replacement.

V. PUBLIC COMMENTS

There were no public comments.

Mayor Stewart praised Director of Parks & Recreation Sean Johnson and his department for coordinating events in Goar Park following the parade on July 3.

VI. ADJOURNMENT

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

Considered and approved this the 20th day of July, 2021:

Tommy Stewart, Mayor

ATTEST:

Christine Green, City Secretary