

**MINUTES  
CITY COUNCIL MEETING  
AUGUST 14, 2007**

The City Council of the City of Cedar Hill, Texas met in regular session Tuesday, August 14, 2007, 7:00 p.m., City Hall, City of Cedar Hill, Texas.

All members of the City Council were present, to wit: Mayor Rob Franke, Mayor Pro Tem Cory Spillman, Council Members Wade Emmert, Makia Epie, Daniel C. Haydin, Jr., Greg Patton and Clifford Shaw.

**I. Call the meeting to order.**

Mayor Franke called the meeting to order at 7:09 p.m., declaring it an open meeting, that a quorum was present and that the meeting notice was duly posted. Mayor Franke apologized that the meeting started late due to the length of the briefing session.

**II. Pledge of Allegiance.**

Council Member Haydin led the Pledge of Allegiance.

**III. Invocation – Jean Dyer, Economic Development Department.**

Jean Dyer gave the invocation.

**IV. Presentations:**

**1. Present Certificates of Recognition to members of the Mission Cedar Hill Community Outreach Team.**

Mayor Franke introduced Dave Mensik, team leader of the Mission Cedar Hill Community Outreach Team and gave some background on the group. The Team was formed by the High Pointe Baptist Church and Fellowship Church at High Pointe to unite leaders of the spiritual, political, educational and social community to perform outreach projects such as assisting citizens in need with home improvements. Mayor Franke presented the Certificates of Recognition. Three of the 41 recipients were present to accept their Certificates of Recognition.

Mensik explained that the churches united to bring their members, young people and leaders of the community together to assist people who need special help to bring their property up to City codes. He said Home Depot, the City and several churches have come together to help with the projects. Mensik commented that the group was always seeking volunteers.

**V. Public Hearing:**

**1. Case Number 07-49 – Conduct a public hearing and consider adoption of Ordinance No. 2007-322 regarding a proposed amendment to Plate 10, entitled Major Thoroughfare Plan, an element of the 1999 Comprehensive Plan.**

Mayor Franke made introductory remarks and explained that the proposed amendments to the Thoroughfare Plan were cleanup provisions.

Mayor Franke opened the floor to anyone speaking in favor of or opposed to the Ordinance.

There being no one to speak, Mayor Franke closed the public hearing and opened the floor to the City Council.

A motion was made by Council Member Emmert and seconded by Council Member Patton to approve Case No. 07-49. The motion carried unanimously following the reading of written Ordinance No. 2007-322 entitled,

“AN ORDINANCE AMENDING THE THOROUGHFARE PORTION OF ORDINANCE NUMBER 99-418, THE CITY OF CEDAR HILL COMPREHENSIVE PLAN, BY PROVIDING A NEW THOROUGHFARE MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.”

#### **VI. Consent Agenda:**

*Items listed under the Consent Agenda are considered routine and are generally enacted in one motion.*

The City Council considered the following Consent Agenda items:

- 1. Consider approving the minutes of July 24, 2007, and special meetings of June 5, 2007, July 3, 2007, and July 17, 2007.**
- 2. Consider adoption of Ordinance No. 2007-321 providing for an amended 2006-2007 Community Development Corporation Capital Budget.**
- 3. Consider approving appraisal rolls submitted by Dallas Central Appraisal District.**
- 4. Consider adoption of Ordinance No. 2007-323 adopting a revised capital budget.**
- 5. Consider adoption of Ordinance No. 2007-324 relating to deletion of temporary development directional signs and providing for kiosk signs.**
- 6. Consider approval of Neighborhood Advisory Board recommendation to approve matching grant funding request from Kingswood Homeowners' Association.**
- 7. Consider calling a public hearing for September 25, 2007, regarding adoption of the 2007 update of the Land Use Assumptions, Water, Wastewater and Roadway Capital Improvement Plans and Impact Fee Ordinance.**

A motion was made by Council Member Haydin and seconded by Mayor Pro Tem Spillman to approve Consent Agenda items one (1) through seven (7), as read. The following written ordinances were duly introduced and read:

Ordinance No. 2007-321 entitled,

“AN ORDINANCE ADOPTING A REVISED COMMUNITY DEVELOPMENT CORPORATION CAPITAL BUDGET FOR THE PURPOSES OF PROVIDING BUDGET AMENDMENTS; AUTHORIZING EXPENDITURES AS SPECIFICALLY DESIGNATED IN SUCH BUDGET; AND PROVIDING FOR IMMEDIATE EFFECT.”

Ordinance No. 2007-323 entitled,

“AN ORDINANCE ADOPTING A REVISED CAPITAL BUDGET; AUTHORIZING EXPENDITURES AS SPECIFICALLY DESIGNATED IN SUCH BUDGET; AND PROVIDING FOR IMMEDIATE EFFECT.”

Ordinance No. 2007-324 entitled,

“AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS AMENDING CHAPTER 4, ARTICLE XII, SECTION 4-236 AND 4-246, RELATING TO DELETION OF TEMPORARY DEVELOPMENT DIRECTIONAL SIGNS AND PROVIDING FOR KIOSK SIGNS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCORPORATION INTO CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.”

Council Member Haydin referred to item six (6). He commended the Kingswood Homeowners' Association for taking a very active role in the community. Council Member Haydin introduced Gene Neitzel and asked him to introduce other members of the Kingswood Homeowners' Association who had worked hard to obtain the grant.

Following the brief discussion, the motion carried unanimously.

## **VII. Citizens Forum.**

Robert Cox complimented and thanked the Cedar Hill Police Department for the Vacation Home Check program. He said his home was burglarized four years ago, and now this program gives him a better sense of security.

Council Member Patton, who lives in Cox's neighborhood, recognized and thanked Cox for his efforts to bring the neighborhood together.

Donna Warren spoke on behalf of the neighbors on High Drive. She said they consulted with Public Works Director Ruth Antebi-Guten to find out what needed to be done to bring about improvements to High Drive, and they had gotten commitments for the necessary right-of-way from all but one property owner. She asked the City Council to allow funding for phase one of High Drive improvements. Warren noted that Antebi-Guten had been very helpful.

Mayor Franke referred the issue to staff.

**VIII. Regular Agenda:**

- 1. Discuss tax rate, take a record vote on the proposed tax rate and set the dates for the public hearings on the budget for FY 2007-2008 and the tax rate for year 2007.**

Finance Director Hardy Browder reported that the proposed tax rate was 64.14 cents per \$100 valuation, a rate that has remained the same since 2002. Browder reviewed the steps necessary to adopt the tax rate, which included two public hearings on the tax rate.

Mayor Franke emphasized the following key points about the proposed budget and tax rate. The City's tax rate has not increased since 2002, but revenues and valuations have increased due to tremendous growth in the City. Over 50 percent of the City's taxable value resulted from new growth. The City's goal was to raise the bar and increase the level of service to the citizens, and the highest priority in the budget is public safety. Mayor Franke mentioned that Cedar Hill has the lowest crime rate in the Best Southwest cities and several other cities in the Metroplex. The City Council also made a decision to invest in infrastructure by shifting one percent from operations to debt maintenance.

Mayor Franke announced that the City Council would conduct public hearings on the tax rate on September 11, 2007, at 7:00 p.m. and September 18, 2007, at 6:00 p.m., and the budget and tax rate would be adopted on September 25, 2007.

Mayor Pro Tem Spillman observed that Cedar Hill's tax rate per capita ranks in the middle compared to area cities, and he thought Cedar Hill accomplished a lot with a reasonable tax rate.

A motion was made by Mayor Pro Tem Spillman and seconded by Council Member Epie to consider a tax rate of 64.14 cents per \$100 valuation at the 7:00 p.m., September 25, 2007, City Council meeting at City Hall and schedule two public hearings for the tax rate; the first public hearing will be held at 7:00 p.m. on September 11, 2007, at City Hall; the second public hearing will be held at the 6:00 p.m. September 18, 2007, City Council meeting at City Hall. This tax rate represents an effective tax rate increase of 4.57 percent.

Council Member Epie re-emphasized some of Mayor Franke's comments. He said the budget reflects the core elements of the City Council's vision for the City to be safe, efficient and clean. He pointed out that any increase in an individual's taxes would result from an increase in valuation rather than an increase in the tax rate.

Mayor Franke called for a vote, and the motion carried unanimously.

- 2. Consider awarding a contract to Steele & Freeman, Inc. for Construction Manager-at-Risk services associated with construction of Fire Station 4.**

Mayor Franke introduced this item.

A motion was made by Council Member Haydin and seconded by Council Member Patton to approve the staff's recommendation and award a contract to Steele & Freeman, Inc. for Construction Manager-at-Risk services associated with construction of Fire Station 4. The motion carried unanimously.

- 3. Consider authorizing Mayor to execute a contract with Ideation Collaborative for professional services to design and facilitate development of a long-range strategic plan for the Zula B. Wylie Library.**

Mayor Franke introduced this item.

A motion was made by Mayor Pro Tem Spillman and seconded by Council Member Emmert to approve a contract and authorize the Mayor to execute a contract with Ideation Collaborative. The motion carried unanimously.

- 4. Consider authorizing the Mayor to execute a contract with Crescent Contractors, Inc. for miscellaneous improvements to Flameleaf Water Pumping and Storage facilities and a deductive change order for the same project.**

Mayor Franke introduced this item.

A motion was made by Council Member Emmert and seconded by Council Member Haydin to authorize the Mayor to execute a contract with Crescent Contractors, Inc. The motion carried unanimously.

- 5. Consider adoption of Ordinance No. 2007-325 amending Chapter 11, Article IX, of the Cedar Hill Code of Ordinances, relating to the City's photographic traffic signal enforcement system (red light camera system).**

Mayor Franke announced that the proposed ordinance would bring the City's code into compliance with new state law.

Council Member Epie stated his concern about the state legislature taking money away from the City for this safety program. He encouraged anyone who shared his view to contact the legislators.

Mayor Pro Tem Spillman pointed out that this was a public safety issue, noting that there were 1,365 red light violations in July from five camera sites.

A motion was made by Mayor Pro Tem Spillman and seconded by Council Member Emmert to adopt Ordinance No. 2007-325. The motion carried unanimously following the reading of written Ordinance No. 2007-325 entitled,

"AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS,  
AMENDING CHAPTER 11, ARTICLE IX, SECTIONS 11-239 AND  
11-242 OF THE CODE OF ORDINANCES OF THE CITY OF  
CEDAR HILL, TEXAS, TO PROVIDE FOR REVISED CIVIL  
PENALTIES FOR VIOLATIONS OF THE CITY'S  
PHOTOGRAPHIC TRAFFIC SIGNAL ENFORCEMENT  
ORDINANCE AND FOR REVISED PROCEDURES FOR  
ADMINISTRATIVE ADJUDICATIVE HEARINGS, REPEALING  
ALL OTHER INCONSISTENT PROVISIONS AND ORDINANCES,  
PROVIDING A SEVERANCE CLAUSE, PROVIDING FOR  
INCORPORATION INTO THE CODE OF ORDINANCES, AND  
PROVIDING FOR AN EFFECTIVE DATE."

- 6. Closed meeting called pursuant to Section 551.071 of the Texas Government Code, Consultation with Attorney, to seek advice about pending or contemplated litigation.**

Mayor Franke announced the closed meeting pursuant to Section 551.071 of the Texas Government Code, and the City Council went into closed session at 7:45 p.m.

- 7. Reconvene in open session and consider any action to be taken from Closed Meeting.**

The City Council reconvened in open session at 8:10 p.m. No action was taken from the closed meeting.

**IX. Adjourn.**

Upon a motion by Mayor Pro Tem Spillman and second by Council Member Haydin, the meeting adjourned by unanimous vote at 8:11 p.m.

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Rob Franke, Mayor

ATTEST:

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Frankie Lee, City Secretary