



Town of Highland Park, Texas
TOWN COUNCIL MEETING
A G E N D A

8:00 AM
November 1, 2022

4700 Drexel Drive, Highland Park TX 75205
Town Council Chamber

I. CALL TO ORDER

II. INVOCATION

III. CITIZEN COMMENTS

This is an opportunity for the public to address the Town Council on non-agenda items. In accordance with the Texas Open Meetings Act, the Town Council may not discuss issues raised or make any decision at this time on items that are not listed on the agenda. Issues raised may be referred to Town staff for research and possible future action.

IV. PUBLIC HEARING

- A. Conduct a public hearing to receive a recommendation from the Zoning Commission and receive public comments regarding a request to amend the Town's Zoning Ordinance by combining the properties at 3524 and 3528 Beverly Drive into a combined building site.

V. CONSENT AGENDA

All items under the Consent Agenda are considered to be routine by the Town Council and will be enacted by one motion and vote. There will be no separate discussion of items unless a request by a Council Member is made prior to the time of the Town Council voting on the motion. In such event, the item will be removed, without debate, from the general order of business and considered in its normal sequence.

- A. Consider approval of the minutes of the Town Council meeting held on October 18, 2022.
- B. Consider approval of the minutes of the Town Council study session held on October 18, 2022.

VI. MAIN AGENDA

- A. Consider approval of an ordinance amending the Town's Zoning Ordinance by combining 3524 and 3528 Beverly Drive into one building site and adding 3528 Beverly Drive as a combined building site in Code of Ordinances, Zoning Ordinance, Chapter 14, Subsection 26-101(b).

VII. ADJOURNMENT

Government Code.

A member of the public may address the governing body regarding an item on the agenda either before or during the body's consideration of the item, upon being recognized by the presiding officer or the consent of the body.

SPECIALACCOMMODATIONS FOR TOWN COUNCIL MEETINGS: Let us know if you need special assistance of any kind.

Please contact the Town of Highland Park Administrative staff at (214) 521-4161 from 7:30 a.m. to 4:30 p.m., Monday through Friday.



TOWN OF HIGHLAND PARK

Agenda Briefing

Council Meeting: November 1, 2022

Department: Development Services

Presenter: Hugh Pender

TITLE

Conduct a public hearing to receive a recommendation from the Zoning Commission and receive public comments regarding a request to amend the Town's Zoning Ordinance by combining the properties at 3524 and 3528 Beverly Drive into a combined building site.

BACKGROUND

On September 28, 2022, the Zoning Commission conducted a public hearing to receive public comments and review a request for the combination of building sites at 3524 and 3528 Beverly Drive. No citizens spoke in favor of the request. Another citizen was interested in what was going to be built on the combined properties. While not formally in opposition her comments became part of the record. The Zoning Commission voted unanimously to recommend approval to the Town Council.

A Town Council public hearing is scheduled on November 1, 2022; a legal notice was published on October 14, 2022, in the *Daily Commercial Record*. At the conclusion of the Town Council public hearing, an ordinance will be presented to the Town Council for consideration to combine and re-zone the properties into a combined single-family building site, and if approved, an action item to consider approval of the re-plat.

The property owner attended the Zoning Commission meeting on September 28, 2022. At the public meeting, the property owner affirmed their understanding that if the request is approved, the combined building site cannot be subdivided in the future. Combining the lots is a permanent zoning change and will run with the properties in perpetuity. A similar statement is contained on both the signed application and the replat document to be recorded at Dallas County.

The property owner has advised the purpose of combining the two lots is to incorporate the lot at 3524 Beverly Drive into the lot at 3528 Beverly Drive to construct a new 14,560 square foot home with construction initiating in December. The property owner is aware the Town requires the construction to be complete within two years. The property owner is also aware of the Town's construction requirements regarding lot combinations such as, increased side yard setbacks, maximum 30% lot coverage and accessory uses limited to the rear yard.

RECOMMENDATION

This item was reviewed by the Town Council at its study session on August 2, 2022. Staff recommends approval.

FINANCIAL IMPACT

None.

ATTACHMENTS:

| File Name | Description |
|------------------|--------------------|
|------------------|--------------------|

No Attachments Available



TOWN OF HIGHLAND PARK

Agenda Briefing

Council Meeting: November 1, 2022

Department: Town Secretary

Presenter: Joanna Mekeal

TITLE

Consider approval of the minutes of the Town Council meeting held on October 18, 2022.

BACKGROUND

RECOMMENDATION

FINANCIAL IMPACT

ATTACHMENTS:

| File Name | Description |
|---------------------------|--|
| 2022-10-18_TC_Minutes.pdf | Minutes of the October 18, 2022 Town Council Meeting |

MINUTES OF A MEETING OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS,
HELD AT THE TOWN HALL, 4700 DREXEL DRIVE, HIGHLAND PARK, TX, 75205, AT 8:00 A.M.
ON TUESDAY, OCTOBER 18, 2022.

Present at the meeting were Mayor Will C. Beecherl, Mayor Pro Tem Craig Penfold, and Town Council Members Marc Myers, Don Snell, and Leland White. Town Council Member Lydia Novakov attended virtually.

Mayor Beecherl introduced himself, and called the meeting to order at 8:00 a.m. Town Council Member Don Snell gave the Invocation.

CITIZEN COMMENTS

Mayor Beecherl asked if anyone wished to address the Town Council and explained that the Town Council may not discuss or make decisions on items not listed on the agenda. Issues raised may be referred to staff for research and possible future action. No comments were made.

PROCLAMATION

Mayor Beecherl presented a proclamation to the Municipal Court designating November 7-11, 2022, as Municipal Courts Week. Judge Albert D. Hammack; Gerri Robeson, Court Administrator; Vanessa Vasquez, Deputy Court Clerk; Mariana Castillo, Court Clerk; Rusty Prewitt, Bailiff; and Tom Wendling, Court Security, were all in attendance to receive the proclamation. Mayor Beecherl thanked the Court staff for all of their hard work.

PUBLIC HEARING

Conduct a public hearing to receive public comments regarding a resident initiated petition for the designation of a Resident-Only Parking on the east side of the 4600 block of Abbott Avenue, and the north side of the 3400 block of Knox Street. This public hearing provided a forum to receive public comments on the petition for the designation of Resident-Only Parking on the east side of 4600 block of Abbott Avenue, and the north side of the 3400 block of Knox Street. Written notification of the public hearing including the date, time, and location of the meeting, along with a map of the proposed area and a summary of the proposed parking restrictions, was mailed to all owners of real property within two hundred feet of the proposed parking designations. Notice of the public hearing was published in the *Daily Commercial Record* on October 13, 2022. Britta Terry, the resident who submitted the petition, was present. Three emails in favor of the Town Council accepting the request to designate Resident-Only Parking in the areas mentioned in the petition were received from (1) Alina Gorelik, of 4608 Abbott Avenue #121; (2) Debbie Daise, of 4522 Abbott Avenue #16; and (3) Michael Monsalve, of 4608 Abbott Ave #122. Bart Humphrey, of 3500 Lexington Avenue, spoke at the meeting to thank the Town Council for their attention to the issue, and acknowledged that a solution to the parking and traffic problems will be difficult to achieve. Mary Perkins Rodgers, of 4608 Abbott Avenue #108, requested the Resident-Only Parking be available to all Town residents, not just the those living in the specified blocks, as she believes the parking restrictions will now push motorists to park on adjacent blocks. In response to a question by Town Council Member Novakov, Bill Lindley, Town Administrator, confirmed that he has been in discussions with the City of Dallas and DART to try and find possible ride-share solutions to help alleviate the parking issues. Mayor Beecherl asked if there were any other questions or comments, to which there were none.

CONSENT AGENDA

On a motion by Mayor Pro Tem Penfold, seconded by Council Member Myers, the Town Council voted unanimously to approve Items A. – F. on the Consent Agenda. These items were reviewed and discussed at a prior Study Session.

- A. Consider a resolution denying the rate change proposed by Oncor Electric Delivery Company.*
- B. Consider approval of funding HPISD equipment.*
- C. Consider approval of the best value bid for Janitorial Services for Town Hall, Library, and the Service Center to Night Line Janitorial Services.*
- D. Consider approval of the best value bid for contract labor services in the Parks Department to A & A Landscaping Services.*
- E. Consider approval of the minutes of the Town Council meeting held on October 4, 2022.*
- F. Consider approval of the minutes of the Town Council study session held on October 4, 2022.*

MAIN AGENDA

On a motion by Mayor Pro Tem Penfold, seconded by Town Council Member Novakov, the Town Council voted unanimously to approve Item A. on the Main Agenda. This item was reviewed and discussed at a prior Study Session.

- A. Consider approval of a petition from residents requesting "Resident-Only Parking" on the east side of the 4600 block of Abbott Avenue, and the north side of the 3400 block of Knox Street.*

Mayor Beecherl adjourned the Town Council meeting at 8:23 a.m.

Approved on this the 1st day of November 2022.

APPROVED:

Will C. Beecherl
Mayor

ATTEST:

Holly Russell
Interim Town Secretary



TOWN OF HIGHLAND PARK

Agenda Briefing

Council Meeting: November 1, 2022

Department: Town Secretary

Presenter: Joanna Mekeal

TITLE

Consider approval of the minutes of the Town Council study session held on October 18, 2022.

BACKGROUND

RECOMMENDATION

FINANCIAL IMPACT

ATTACHMENTS:

| File Name | Description |
|-----------------------------|--|
| 2022-10-18_TCSS_Minutes.pdf | Minutes of the October 18, 2022 Town Council Study Session |

MINUTES OF A STUDY SESSION OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS, HELD AT TOWN HALL, 4700 DREXEL DRIVE, HIGHLAND PARK, TX, 75205 AT 8:32 A.M. ON TUESDAY, OCTOBER 18, 2022.

Present at the meeting were Mayor Will C. Beecherl, Mayor Pro Tem Craig Penfold, and Town Council Members Marc Myers, Don Snell, and Leland White. Town Council Member Lydia Novakov attended virtually.

Future Agenda Discussion

Review and consider approval of an Interlocal Agreement with the City of Quinlan to utilize goods and services from present and future contracts. Lori Chapin, Director of Engineering, explained Interlocal agreements (“ILA”) provide a mechanism for entities to utilize bid pricing, share in the purchase of goods and services, and are general reciprocal agreements beneficial to both entities through anticipated savings. An ILA allows each municipality to pay a contractor directly for work performed and eliminates the need for separately bidding on the work. In addition, utilizing bid pricing from another municipality offers the Town savings it may not otherwise enjoy. Recently, the City of Quinlan contacted Town staff stating their interest in securing an ILA to utilize the Town's contract with Preservation Seal. The Town Council recently approved a similar ILA with the City of Lucas, and the Town has ILAs with other communities including North Richland Hills, Richardson, Allen, Fort Worth, and University Park. Staff recommends approving the extension of its Preservation Seal contract to the City of Quinlan. The ILA has been approved by the Town Attorney. Mayor Beecherl asked the Town Council if they had any further questions, to which there were none. On a motion by Council Member Don Snell, and seconded by Town Council Member Marc Myers, the Town Council unanimously voted to accept the interlocal agreement.

Review and consider a contract to provide Annual Street Sweeping services for the Town. Lori Chapin, Director of Engineering, explained the Town renewed its street sweeping contract with Moore Disposal Corporation on December 11, 2017. The contract was valid through September 30, 2020, with the option to extend the contract for up to two additional years, in one-year intervals. In September 2020, Moore Disposal was acquired by Sweeping Corporation of America (“SCA”). With the acquisition, SCA took over the sweeping contract and provided those services until March 2022, at an annual contract cost of \$42,680.77. The Town was experiencing difficulties with SCA fulfilling its obligations with the sweeping contract including response times, service, and general communication. Staff met with SCA’s District Manager and Dispatch to work through these issues to continue the contract through the end of Fiscal Year 2022. Despite trying to work with SCA, they requested the contract be terminated due to rising operational costs and the inability to provide services. Town staff, in consultation with the Town Attorney, agreed it was in the best interest of the Town and granted the termination effective on February 21, 2022. Town staff solicited bids to provide street sweeping services for the remainder of the fiscal year, and initiated a contract with Mr. Sweeper on May 31, 2022, at a cost of \$18,757.89. The contract term expired on September 30, 2022. The Town advertises projects and contract services on CIVCAST, which provides an electronic bid site. The Annual Street Sweeping contract was advertised on October 4, 2022, and

two bids were received from SCA for \$45,019.14, and Mister Sweeper for \$69,457.02. In concurrence with the Town Attorney, Town staff determined the bid from SCA is non-responsive based on the review of past performance. Staff recommends awarding the contract to the second lowest bidder, Mister Sweeper, in the amount of \$69,457.02. Mister Sweeper has been performing the Town's sweeping since May 2022, and has performed well, been responsive and accommodated Town requests for additional sweeping as needed. In addition, Mister Sweeper provides sweeping services for many other communities in the area including Lewisville, Farmers Branch and Flower Mound among others. The contract is valid until September 30, 2023, with the option to extend the contract for four additional years, in one-year intervals. In response to the Council's concern of there only being two bids received, Ms. Chapin answered that there are not many companies that offer this service in the Dallas Metroplex and extending the bid period would not generate any additional bids. It was mentioned that the City of University Park does their own street sweeping; to which Bill Lindley, Town Administrator, noted that the Town evaluated doing the same and the cost of maintenance on the machines was much more than bringing in a contact service provider. Most cities outsource this service for that very reason. Mayor Beecherl asked the Town Council if they had any further questions, to which there were none. On a motion by Mayor Pro Tem Craig Penfold, and seconded by Town Council Member Leland White, the Town Council unanimously voted to approve the bid submitted by Mister Sweeper for street sweeping services.

Reports

Review and discuss the monthly Financial and Investment Reports for the period ending August 31, 2022. Karen Kurtin, Deputy Chief Financial Officer, reported on the Financial and Investment Report for the period ending August 31, 2022, which marks the completion of the eleventh month of the 2021-22 fiscal year. Therefore, the Year-to-Date percentage for budgetary comparison purposes is 91.7%. General and Utility Fund combined revenues amount to \$38,641,760 which is 101.4% of the annual budgeted amounts. The General and Utility Fund combined expenditures and encumbrances amount to \$35,639,844 or 92.1% of the Fiscal Year 2021-22 Combined Budget. The reports were provided to the Finance & Audit Advisory Committee on October 14, 2022. Mayor Beecherl asked the Town Council if they had any further questions, to which there were none.

CLOSED SESSION

- 1. In accordance with the Texas Government Code Chapter 551, Subchapter D, Section 551.071 – CONSULTATION WITH ATTORNEY – the Town Council will convene into closed session for consultation with and to receive legal advice from the Town Attorney regarding structures in front yards and Ordinance No. 2080.*

Mayor Beecherl recessed the study session at 8:41 a.m., and convened a closed session at 8:42 a.m., pursuant to: (1) In accordance with the Texas Government Code Chapter 551, Subchapter D, Section 551.071 – CONSULTATION WITH ATTORNEY – the Town

Council will convene into closed session for consultation with and to receive legal advice from the Town Attorney regarding structures in front yards and Ordinance No. 2080.

Mayor Beecherl ended the closed session at 8:56 a.m., and reconvened the study session in open session at 8:57 a.m. No final action, decision, or vote was taken during the closed session.

OPEN SESSION

1. Pursuant to Section 551.102 of the Texas Government Code, the final action, decision, or vote regarding Closed Session Item 1. above, shall be made, if any. No motion was made.

Mayor Beecherl adjourned the study session at 8:57 a.m.

APPROVED on this 1st day of November 2022.

APPROVED:

Will C. Beecherl
Mayor

ATTEST:

Holly Russell
Interim Town Secretary



TOWN OF HIGHLAND PARK

Agenda Briefing

Council Meeting: November 1, 2022

Department: Development Services

Presenter: Hugh Pender

TITLE

Consider approval of an ordinance amending the Town's Zoning Ordinance by combining 3524 and 3528 Beverly Drive into one building site and adding 3528 Beverly Drive as a combined building site in Code of Ordinances, Zoning Ordinance, Chapter 14, Subsection 26-101(b).

BACKGROUND

This agenda item is a companion to the Town Council Public Hearing. The combination of the properties at 3524 and 3528 Beverly Drive on the Zoning Map will create a combined building site. The address of 3528 Beverly Drive will be added to the list of combined building sites in Subsection 26-101 (b) of the Town's Zoning Ordinance.

This process is permanent and irreversible, running with the property in perpetuity. A statement acknowledging such is contained on both the signed application and the proposed replat document that will be recorded with Dallas County.

This item was referred to the Zoning Commission on August 2, 2022, at the Town Council Study Session. The Zoning Commission held a public hearing on September 28, 2022, to receive public comment and to consider the request. No citizens spoke in favor of the request. Another citizen was interested in what was going to be built on the combined properties. While not formally in opposition, her comments became part of the record. The Zoning Commission voted unanimously to recommend approval to the Town Council.

The property owner has advised the purpose of combining the two lots is to incorporate the lot at 3524 Beverly Drive into the lot at 3528 Beverly Drive to construct a new 14,560 square foot home with construction initiating in December. The property owner is aware the Town requires the construction to be complete within two years. The property owner is also aware of the Town's construction requirements regarding lot combinations such as, increased side yard setbacks, maximum 30% lot coverage and accessory uses limited to the rear yard.

RECOMMENDATION

This item was reviewed by the Town Council at its study session on August 2, 2022. Staff recommends approval.

FINANCIAL IMPACT

None.

ATTACHMENTS:

File Name

Description

ORDINANCE NO. 2112

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS AMENDING **CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE EXHIBIT A, SECTION 4 ZONING DISTRICT MAP, OF THE CODE OF ORDINANCES OF THE TOWN OF HIGHLAND PARK, TEXAS**, BY CREATING 3528 BEVERLY DRIVE AS A BUILDING SITE; AMENDING **SECTION 26-101(B)** TO INCLUDE 3528 BEVERLY DRIVE AS A COMBINED BUILDING SITE; PROVIDING CONDITIONS; PROVIDING A VALIDITY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owners of 3524 and 3528 Beverly Drive have requested the Town of Highland Park, Texas (the "Town") to eliminate 3524 Beverly Drive as a building site and incorporate the property into the adjacent single-family building site at 3528 Beverly Drive; and

WHEREAS, on September 28, 2022, the Town's Zoning Commission conducted a public hearing and recommended approval of the request; and

WHEREAS, **Chapter 14, Zoning, of the Code of Ordinances of the Town of Highland Park, Texas**, is also known as the "Town's Zoning Ordinance;" and

WHEREAS, the Zoning Commission and the Town Council of the Town of Highland Park, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, and the Town Council of the Town of Highland Park is of the opinion and finds that said zoning change should be granted and that the Zoning Ordinance and the Zoning District Map should be amended; and

WHEREAS, the Town Council is authorized by law to adopt the provisions contained herein, and has complied with all the prerequisites necessary for the passage of this ordinance; and

WHEREAS, all statutory and constitutional requirements for the passage of this ordinance have been adhered to, including but not limited to the Open Meetings Act; and

WHEREAS, the Town Council finds the adoption of this ordinance necessary to protect the public health, safety, and general welfare of the citizens of the Town of Highland Park.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS:

SECTION 1. That, the above findings are hereby found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2. That, **Chapter 14 Zoning, Article 14.02 Zoning Ordinance Exhibit A, Section 4 Zoning District Map** of the Town's Zoning Ordinance, as amended, is hereby amended to eliminate 3524 Beverly Drive, Block 63 W 35 feet, Lot 16 and E 50 feet, Lot 17 , Highland Park subdivision, Highland Park, Dallas County, Texas, as a building site and to incorporate the area into 3528 Beverly Drive, Block 63, Lot 18 and W 15 feet of Lot 17, Highland Park subdivision, Highland Park, Dallas County, Texas.

SECTION 3. That, **Chapter 14 Zoning, Article 14.02 Zoning Ordinance Exhibit A, Section 26 List of Specific Use Permits, Planned Developments, and Combined Building Sites** of the Town's Zoning Ordinance, as amended, is hereby amended to include 3528 Beverly Drive as a combined building site in Subsection 26-101(b) as follows:

| <u>Zoning District</u> | <u>Address</u> | <u>Date</u> |
|------------------------|--------------------|-------------|
| C | 3528 Beverly Drive | 2022 |

SECTION 4. Validity. That, all ordinances of the Town of Highland Park in conflict with the provisions of this ordinance be, and the same are hereby superseded and all other provisions of the ordinances of the Town of Highland Park not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. Severability. That should any paragraph, sentence, clause, phrase, or word of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be affected.

SECTION 6. Incorporation. That, this ordinance shall be deemed to be incorporated into the Code of Ordinances of the Town of Highland Park, Texas.

SECTION 7. Effective Date. That, this ordinance shall take effect immediately following its passage, approval and publication as provided by law, and it is accordingly so ordained.

PASSED AND APPROVED this the 1st day of November 2022.

APPROVED AS TO FORM:

Matthew C.G. Boyle
Town Attorney

APPROVED:

Will Beecherl
Mayor

ATTEST:

Joanna Mekeal
Town Secretary