

MINUTES OF AN ONLINE STUDY SESSION OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS, HELD VIA VIDEOCONFERENCE, AT 8:30 A.M. ON TUESDAY, JULY 20, 2021.

Prior to the study session, Joanna Mekeal, Town Secretary, explained that as provided by the State of Texas, this online Town Council study session could be viewed online, or listened to by telephone, and gave the toll-free and alternate telephone numbers, as well as the access number for the public to call. Mrs. Mekeal conducted a roll call of the Town Council Members. Present at the meeting were Mayor Margo Goodwin, Mayor Pro Tem David Dowler, and Town Council Members Jimmy Grisham, Marc Myers, Lydia Novakov, and Craig Penfold. Council Member Grisham exited the meeting at 9:00 a.m. after the discussion of creating a Resident-Only Parking area for the 4300 block of Livingston Avenue.

UPCOMING AGENDA DISCUSSION

Future Agenda Discussion

Review, discuss, and consider referring to the Zoning Commission a request to amend the site plan of Highland Park Shopping Village. Hugh Pender, Director of Development Services, explained that this item is provided as an opportunity for the representatives of Planned Development 1, the Highland Park Shopping Village ("HPSV"), to continue the discussion and provide an update of current uses and development plans. After the initial discussion of enhancements at the study session held on July 6, 2021, the HPSV revised the initial presentation to make this request. The HPSV currently requests consideration of the following: (i) constructing an 8,329 square-foot second-floor addition, which no longer includes an exterior terrace space, on the east end of Building B, (ii) a minor modification of the one-way angled parking design to adjust the parking angle from 60 degrees to 65 degrees, and (iii) designation of appropriate fire lanes. These changes would require a comprehensive update to the site plan for Planned Development 1. Staff is recommending the Town Council to consider approval to refer the request to the Zoning Commission. Mayor Goodwin asked if any callers on the line wish to ask a question or make a comment.

Keith Cargill, 4201 Livingston Avenue, stated the visual aid appears as though there are French doors on the second-floor addition. Mr. Cargill stated that creates a privacy concern as the view from the French doors is into his property.

Vince Ackerson, 4241 Livingston Avenue, requested the opportunity to obtain and review the reconstruction plans.

Luke Crossland, 4215 Livingston Avenue, agreed with Mr. Ackerson and added, the plans displayed today are unclear. He also requested the Town Council consider hiring an independent party to review the parking model.

Jennifer Morton, 4221 Livingston Avenue, stated that the visual aid appears to show a stairwell to the second-floor addition and is concerned that people will be able to see into her property from this vantage point.

Mayor Pro Tem Dowler and Council Members Myers, Penfold, and Novakov requested HPSV to provide a model for the residents to review so that they may better understand the proposed plans. Joe O'Brian, representative of HPSV, thanked the residents for their comments and stated that he will request the architect to provide a physical 3-D model of HPSV's proposed plans. On a motion made by Council Member Penfold, seconded by Council Member Grisham, the Town Council voted unanimously to refer a request to amend the site plan of Highland Park Shopping Village to the Zoning Commission.

Review and discuss designating Resident-only parking for the 4300 block of Livingston Avenue and modifying the existing ordinance in the same block by eliminating the Two-hour Parking restriction. Paul Sandman, Director of Public Safety, explained that the residents of the 4300 block of Livingston Avenue requested the Town Council modify parking restrictions for the block. Issues mentioned include vehicles parking for more than two hours, limitation of available parking for family and friends, loud noise, and trash deposited along the street. The Department of Public Safety enforces the Town's various parking restrictions on a complaint basis. Time constraints and responding to other policing demands limit the availability of a police officer to proactively patrol the area for parking violations. This is further compounded by the need for the officer to return later to inspect if vehicles have moved within the two-hour period. Eliminating the general public's access to park on the street would allow a police officer to immediately issue a parking citation if an appropriate Town parking sticker is not displayed. Residents submitted a petition including 29 of the 31 residents in support of prohibiting public parking on their block. Key features of the petition included: (i) delivery vehicles would be allowed to park for a maximum of five minutes, (ii) three resident permits be issued to each address, (iii) five guest permits be issued to each address, and (iv) resident permits must be displayed inside the vehicle's windshield. Pending Town Council discussion, the amended ordinance will be prepared, and a public hearing is scheduled for the Town Council meeting on August 3, 2021. The Mayor asked if the proposed Resident-only parking includes the entire 4300 block of Livingston Avenue, and have the same parking restrictions in the 4200 block of Livingston Avenue been effective. Chief Sandman confirmed the parking restriction would apply to the entire 4300 block of Livingston Avenue, and the parking restrictions in the 4200 block of Livingston Avenue have proven beneficial. Council Member Penfold and Novakov agreed it was logical to add the restrictions with the overflow of parking from the Highland Park Shopping Village ("HPSV"). Paul Schoonover, 4304 Livingston Avenue, thanked the Town Council for their consideration and the explained the importance of the parking restrictions, especially considering the proposed HPSV expansion. Mayor Goodwin thanked Mr. Schoonover and asked if there are any further comments, to which there were none.

Review and discuss an ordinance limiting the number of decorative items that can be placed in the front and visible side yard areas of residential properties. Hugh Pender, Director of Development Services, explained that Town staff has recently received several complaints regarding the excessive number of decorative items, such as landscape receptacles, planters, topiaries, and statuary, located in the front yards of residential properties. Absent any regulations within the code of ordinances or the Zoning ordinance, Town staff worked with the Town attorney to create a draft ordinance for Town Council's review. The draft ordinance is designed to provide a maximum percentage of the front yard and side yards areas that are visible from the street which can be covered with decorative items. The proposed ordinance does not provide regulations for side or rear yards screened from the street. The maximum coverage of items placed in the front yard and side yards visible from the street is proposed at 5%. Front and side yards are calculated

by measuring the perpendicular distance from the main building out toward the property line, then multiplying that distance by the lot width for the front yard or the lot depth for the side yard. Another provision includes placement of the decorative items, offering only one item shall be allowed per each 100 square feet of area. Exceptions have been included for holiday decorations, November 15th through January 5th of each year, as well as architectural features and elements of homes. Council Member Novakov asked will this ordinance be difficult to enforce and recommended extending the holiday decorations timeframe to January 6th. Mr. Pender believed it will not be difficult to enforce and stated the timeframe for holiday decorations can be adjusted. Bill Lindley, Town Administrator, anticipated the ordinance may have future amendments to support enforcement. Mayor Goodwin asked, if approved, would Code Enforcement perform regular inspections or will it be initiated by a resident complaint. Mr. Pender explained it will be reactively and proactively enforced; a resident that is not in compliance would be contacted and Town staff will work with the resident for resolution. In a situation when a person contacts the Town about another residence's infraction, Town staff will investigate the complaint and if it is out of compliance, the resident would be contacted. Whoever called the Town to make the initial complaint would be kept anonymous to avoid any conflicts. Mr. Lindley added, if approved, the Town's residents will receive notification of the newly adopted ordinance through social media channels. Mayor Goodwin asked the Town Council and callers if they had any further questions, to which there were none.

Review and discuss interlocal agreements with the City of University Park for the Drug Abuse Resistance Education and the School Resource Officer programs. Paul Sandman, Director of Public Safety, explained the City of University Park has sponsored the Drug Abuse Resistance Education ("DARE") program in the Highland Park Middle School since 1994. In 2004, the Town entered into interlocal agreements with the City of University Park to pay 25% of the cost for a DARE officer at the Highland Park Middle School, and 25% of the cost for a School Resource Officer ("SRO") at the Highland Park High School. These agreements have been renewed annually since, and the cost allocation percentage is based on estimated student populations residing in the Town. The cost of the two programs decreases slightly in the next upcoming year based on salary adjustments by the City of University Park. Mayor Goodwin asked there are any questions, to which there were none.

Review and discuss construction bids for the Abbott Avenue Rehabilitation and Sewanee Avenue Utility Improvements project. Lori Chapin, Director of Engineering, explained the construction project for the Abbott Avenue Rehabilitation, Harvard Avenue to Mockingbird Lane, will include: (i) asphalt mill and overlay, (ii) water and sewer line replacement within the roadway and at alley crossings, (iii) full depth concrete point repairs where necessary, (iv) and driveway approaches, sidewalks, and American Disability Act ramps where necessary. Construction for the Sewanee Avenue Utility Improvements, Princeton Avenue to Mockingbird Lane, will include: (i) water and sewer line replacement within the roadway and at alley crossings, and (ii) full depth pavement point repairs relating to the utility improvements. The project was advertised and on June 10, 2021, four bids were received. The low bid in the amount of \$1,930,000 was submitted by New World Contracting, LLC. Town staff determined the bid from New World Contracting, LLC is non-responsive based on the review of past performance provided through references. Town staff recommends awarding the contract to the second lowest bidder, Axis Contracting, Inc., in the amount of \$2,073,050. Axis Contracting, Inc. has a strong reputation and experience with this type of work and has previously worked on several Town projects. Based on past and present

performance, Axis Contracting, Inc. can maintain its ability to complete the project within budget and contract time. Construction is anticipated to begin in September with an estimated construction time of five months. Mayor Goodwin asked there are any questions, to which there were none.

Reports

Review and discuss the Fiscal Year 2021 – 2022 Combined Operating and Capital Budget. Steve Alexander, Director of Administrative Services and Chief Financial Officer, explained the purpose of this agenda item is to provide an opportunity for staff to receive comments from the Town Council relating to the Fiscal Year 2021-22 Combined Operating and Capital Budget ("FY 2022 Budget") and to provide an update on the budget development. A preliminary proposed budget has been sent to the Finance and Audit Committee, which includes maintaining the existing tax rate of \$0.23 per \$100 of taxable assessed valuation.

The water and wastewater rate study are currently in review by Town staff. Water consumption on a five-year rolling average has been declining. Dallas County Park Cities Municipal Utility District water rate increase of 5.26% will impact the budget by \$108,000. While overall the Dallas Water Utility rates are declining, the Town's winter average for 2021 was higher than the prior year, overall, 8% increase or \$78,000. Contracts for the purchase of water and treatment of wastewater make up \$3.8 million or roughly 42% of the Utility Fund budget and Capital Improvements make up roughly 31% at \$2.8 million. Council Member Penfold asked if the Capital Improvement Plan ("CIP") schedule is available currently. Mr. Alexander explained the CIP is currently being updated however it is going to be similar to past CIP. Mr. Alexander further explained there have been preliminary findings in the water and wastewater rate study including: (i) adjustments to water rates may be different from adjustments to wastewater rates, (ii) cost of capital projects should incorporate some level of inflation, (iii) capital plan is sustainable with regular adjustments to water & wastewater rates, and (iv) the Town may consider setting minimum monthly billing to meter size. Currently, all meter sizes are charged the same minimum fee.

A study has been provided by Matthew Weatherly, Compensation Consultant, and he has identified how the Town compares to the market pay structure. Overall, the Town is approximately 17.66% above market in the mid-point pay structure. Mr. Weatherly's report provided a recommendation including: (i) widen pay ranges for exempt and non-exempt from 30% to 45%, (ii) adjust minimum base pay of ranges to align more closely with the market, and (iii) adjust maximum base pay of public safety position to achieve 20% target above market throughout the pay range. When comparing overall employee benefits to the market, there are items where the Town provides competitive benefits including health insurance and incentive pay, however other benefits such as paid time off and retirement plans fall behind the market. Most cities perform a regular cost-of-living adjustment for retirement plans which is costly. The last time the Town performed a cost-of-living adjustment was in 2008; this may become more of an issue for a recruitment and retention standpoint. Recommendations Mr. Weatherly provided for the FY 2022 includes: (i) provide a merit adjustment, based on prior year evaluation, to all employees of up to 3.5%, (ii) implement recommended pay rate adjustments, and (iii) allow existing pay levels within pay ranges to remain constant and review pay levels annually for future market adjustments. Council Member Myers asked if the Town has difficulty recruiting new hires. Paul Sandman, Director of Public Safety, explained staff has recently been experiencing new challenges. For example, an offer was made to a potential public safety officer; however, this candidate declined the Town's offer because another

municipality provided a more competitive offer. Chief Sandman added the number of qualified candidates that begin the interview process has declined. In over 20 years of experience with the Town, Chief Sandman has not experienced these challenges before.

Mr. Alexander explained regarding medical, dental, and vision insurance the Town has received competitive bids from different medical providers. Town staff is assessing the best decision, currently United Health Care has the least amount of disruption. Texas Municipal League ("TML") provided the most competitive bid; however, there are concerns, (i) that the plans provided would be a disruption from the plans currently in place, and (ii) issues with processing claims and customer service. TML has recently created a relationship with Blue Cross Blue Shield and has hired an executive director who is apparently implementing positive changes; however, these are all new adjustments and Town staff is uncertain how well they are executed.

Mayor Goodwin encouraged Town Council Members to contact Mr. Alexander for any questions they may have. Mayor Goodwin asked if there are any further comments, to which there were none.

Review and discuss a report on the School-Based Law Enforcement officer program at Armstrong Elementary School and Bradfield Elementary School. The Town of Highland Park's ("Town") Fiscal Year 2020-2021 Operating Budget provided funding for two School-Based Law Enforcement ("SBLE") officers employed and supervised by the Highland Park Independent School District ("District"). The purpose of the program is to provide SBLE officers at Armstrong Elementary School and Bradfield Elementary School during defined time periods, in addition to other District related security duties. The SBLE officers have complimentary access to Town facilities including the classroom and gun range areas. While renewable annually, the agreement was for a one-year period and subject to cancelation, with provisions for written notice. The agreement was drawn from the school crossing guard agreement between the Town, the District, and the City of University Park ("City"). The Town budgeted \$200,000 for the current fiscal year. The agreement is complimentary to other collaborative partnerships with the District and the City, such as the DARE-SRO program. Mark Rowden, the District's Chief of Police, thanked the Town Council for their consideration.

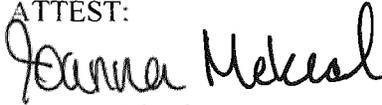
Mayor Goodwin adjourned the Town Council meeting at 10:14 a.m.

APPROVED on this 3rd day of August 2021.

APPROVED:


Margo Goodwin
Mayor

ATTEST:


Joanna Mekeal
Town Secretary