

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 8:06 A.M. ON TUESDAY, JANUARY 4, 2022.

Present at the meeting were Mayor Margo Goodwin and Town Council Members Jimmy Grisham, Marc Myers, Lydia Novakov, and Craig Penfold. Mayor Pro Tem David Dowler joined the meeting virtually.

UPCOMING AGENDA DISCUSSION

**Future Agenda Discussion**

*Review and discuss a resolution casting the Town's vote in a run-off election for the Board of Directors of the Dallas Central Appraisal District.* Joanna Mekeal, Town Secretary, explained that the Dallas Central Appraisal District ("DCAD") is conducting a runoff election for the position to its Board of Directors. With only 21 votes cast, the run-off election is required since none of the five candidates received majority of the 30 possible votes. A runoff is necessary between the two top finishers, Michael Hurtt and Brett Franks. Runoff votes must be received by the DCAD by January 31, 2022. In response to a question raised by Mayor Margo Goodwin, Mrs. Mekeal explained this item is to review and discuss today, and the item will return for approval at the Town Council meeting scheduled for January 18, 2022. The Mayor and Town Council Members agreed to select Michael Hurtt and will approve the resolution at the next Town Council meeting.

*Review and discuss landscape and pedestrian accessibility improvements for the Teddy Bear Garden – Exall Lake.* Lori Chapin, Director of Engineering, explained the purpose of this project is to provide better access to the Teddy Bear Garden at Lakeside Park and eliminate confusion for visitors to the area. The current layout provides limited access to the area leading visitors to wander through the neighborhood and sometimes onto private property. The Town's consultant performed a preliminary evaluation of the area to determine whether there was enough space to add a pathway from the pedestrian bridge and along the lake to the Teddy Bear Garden. The results indicate that it is possible to construct the pathway. The next step is to perform a conceptual design. The design will include an American Disability Act route of approximately 130 linear feet of walking trail from the Lakeside Park pedestrian bridge to the Teddy Bear Garden, a topographic survey, and a geotechnical soil investigation. Once the conceptual design is complete, staff will present the concept to Town Council prior to proceeding with the final design. Preparation of final construction plans and documents including bid phase services is estimated to be an additional \$20,400 for a total design cost of \$49,900. In response to a question raised by Council Member Novakov, Mayor Goodwin stated that she, Bill Lindley, Town Administrator, and staff met several months ago with some of the residents living in close proximity to the Teddy Bear Garden. Ms. Chapin confirmed that Town staff will meet with the residents living near the Teddy Bear Garden to discuss design options before construction. Mayor Goodwin asked the Town Council if they had any questions, to which there were none.

*Review and discuss a professional services agreement with Kimley-Horn Associates, Inc. for the FY 2022 Drainage Easement Improvements project.* Lori Chapin, Director of Engineering, explained this item is provided to discuss a professional services agreement with Kimley-Horn to evaluate and design the best solutions for addressing stormwater conveyance within unimproved

utility easements. Following heavy and/or prolonged rain events, the Town experiences standing water within many utility easements. Some adjacent property owners have experienced stormwater entering their backyards from the easement. Typical improvements may include grading or installation of a narrow concrete flume. Residents have been complimentary and pleased with the drainage improvements constructed to-date. Mayor Goodwin asked the Town Council if they had any questions, to which there were none.

*Review and discuss the Town's residential building code as it relates to construction site management practices.* Hugh Pender, Director of Development Services, explained staff is preparing an ordinance to provide for enhanced residential construction management practices. Development of the regulations is in response to Town Council requests following concerns made by residents. The first proposed idea was to codify the construction management plan to incorporate milestone benchmarks and establish extension penalties. Council Member Grisham stated that he disagreed with the two-year limit on a construction project and does not support extension penalties. Mayor Goodwin and Council Member Myers commented that most houses are completed within the two-year timeframe and very few need an extension from the Town Council. Council Member Penfold commented that the two-year limit on construction motivates builders, and the residents are satisfied knowing there is a deadline to construction duration. Mayor Pro Tem Dowler agreed with Council Member Penfold and added that he recently met with a prospective homebuilder, and he is modifying his construction plan to fit with the two-year schedule. In response to a question raised by Mayor Goodwin, Mr. Pender explained that the City of University Park has a two-tiered system; based on square footage, smaller homes are allowed 18 months of construction while larger homes are permitted 24 months of construction. It was suggested that staff create tiered options for larger homes and to continue the discussion at a later meeting.

Mr. Pender then explained the other proposed ideas for the ordinance including, (1) Construction trailers limited in size to 160 square foot and a maximum duration of 12 months; (2) Portable toilets in front yard shall be screened by cementitious fiber siding; (3) Trash dumpsters shall be in good condition if located in front yard; (4) Construction material storage limited to 25% of front yard area; and (5) Six-foot chain link fence required around the perimeter of all construction sites, visual screen, if provided, shall be no higher than four-feet. Mayor Goodwin stated that she spoke with two homebuilders and asked for their thoughts on the proposed ideas mentioned, and they responded in the positive. A fence will keep the public out while providing visibility for the police for protection. Council Member Grisham and Myers agreed it was a good compromise. In response to questions raised by Council Member Novakov and Mayor Goodwin, Mr. Pender stated once approved, the ordinance would become in effect immediately. Staff will be trained when they go out for inspections to also inspect these items. Mayor Goodwin asked if anyone had any questions, to which there were none. Mr. Pender explained these proposed items will be written in an ordinance for consideration of approval at the next Town Council Meeting.

## CLOSED SESSION

*1. In accordance with Texas Government Code Chapter 551, Subchapter D, Section 551.074 – PERSONNEL MATTERS – the Town Council will convene into closed session to conduct the annual performance evaluation of the Town Secretary.*

2. 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 legal advice from the Town Attorney regarding pending or contemplated litigation: USAI, LP v Town of Highland Park (Cause No. DC-20-08213).

3. 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 pending or contemplated litigation (Sam Tamborello).

Mayor Goodwin recessed the study session at 8:58 a.m. and convened a closed session pursuant to: (1) Section 551.074 – Personnel Matters – the Town Council will convene into closed session to conduct the annual performance evaluation of the Town Secretary, (2) Section 551.071 - CONSULTATION WITH ATTORNEY - the Town Council will convene into closed session for consultation with and legal advice from the Town Attorney regarding pending or contemplated litigation: USAI, LP v Town of Highland Park (Cause No. DC-20-08213), and (3) 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 pending or contemplated litigation (Sam Tamborello).

Mayor Goodwin ended the closed session at 9:33 a.m., and reconvened the study session in open session at 9:33 a.m. No final action, decision, or vote was taken during the closed session.

#### OPEN SESSION

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.

Pursuant to Section 551.102 of the Texas Government Code, the final action, decision, or vote regarding Closed Session Item 2. above, shall be made, if any. No motion was made.

Pursuant to Section 551.102 of the Texas Government Code, the final action, decision, or vote regarding Closed Session Item 3. above, shall be made, if any. No motion was made.

Mayor Goodwin adjourned the Town Council meeting at 9:34 a.m.

APPROVED on this 18<sup>th</sup> day of January 2022.

APPROVED:



Margo Goodwin  
Mayor

ATTEST:



Joanna Mekeal  
Town Secretary