

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 8:21 A.M. ON TUESDAY, SEPTEMBER 19, 2023.

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

Future Agenda Discussion

Review and discuss a presentation by Provident Realty Advisors, Inc., regarding conceptual development plans for the property generally located at 4510 Abbott Avenue. Leon Backes, Founder and CEO of Provident Realty Advisors; Jay Hawes, President of Provident Realty Advisors; Mark Miller, Executive Director Acquisitions of Provident Realty Advisors; Dallas Cothrum, President of Masterplan; and Ray Tse, Associate Principal with GDA Architects, presented their proposed concept of Abbott Residences, a luxury owner-occupied condominium development in the 4500 block of Abbott Avenue. Their presentation encompassed value-enhancing features including reduced density and traffic load, no shadow impact on surrounding properties, the building's scale would be a buffer against the high-rise buildings on Knox Street, quality construction, and a design that would complement surrounding properties. The proposed construction includes a seven-story building requiring Zoning Commission recommendation and Town Council approval. In response to a question raised by Mayor Pro Tem Penfold, Mr. Hawes explained that the front of the building facing Abbott Avenue would be three stories high, and the back of the building facing Knox Avenue would be seven stories high. Council Member Myers explained that while this is a good team with a good reputation, there are concerns about the height of the building and the potential precedent it will set for the community. Mayor Beecherl thanked the group for presenting their conceptual development plans for the property. This item was included to provide an opportunity for Provident Realty Advisors, Inc., to present conceptual development plans to receive Town Council feedback and aid the group's decision to submit the plans for Building Inspection review.

Review, discuss, and consider approval of an interlocal agreement with Dallas County for participation in the Household Hazardous Waste Program. Lori Chapin, P.E., Director of Engineering, explained that the purpose of the Dallas Area Household Hazardous Waste Network ("HHW Network") is to minimize the improper disposal of household hazardous waste into landfills and stormwater infrastructure through reuse, recycling, education, collection, and disposal. The fixed operational and capital program cost of the HHW Network is shared by the member cities and is based on the percentage of service area derived from the number of single-family households. In response to a question raised by Mayor Pro Tem Penfold, Ms. Chapin stated the \$30,000.00 is to fund the HHW collection program costs, including access to the Dallas County Home Chemical Collection Center, the On-Call Curbside Collection service, and biannual local mobile collection events. On a motion made by Mayor Pro Tem Craig Penfold, seconded by Council Member Marc Myers, the Town Council unanimously voted to approve an interlocal agreement with Dallas County for participation in the Household Hazardous Waste Program.

Review, discuss, and consider approval of an ordinance amending the Fiscal Year 2022-23 Adopted Budget. Karen Kurtin, C.P.A., Deputy Chief Financial Officer, explained that based on events occurring in FY 2022-23, it was determined that a surplus of \$4,000,000 should be transferred from the September 30, 2022 General Fund balance to the Capital Projects Fund. In

addition, the DPS Technology Fund was closed in FY 2022-23 after the DPS radio project was completed. The remaining fund balance exceeded the projected fund balance by \$870. In response to a question raised by Council Member Snell, Ms. Kurtin explained that the \$4,000,000 surplus is related to sales tax receipts that exceeded the FY 2021-22 budget and the resolution with the State of Texas for excess sales taxes paid to the Town. On a motion made by Mayor Pro Tem Craig Penfold, seconded by Council Member Marc Myers, the Town Council unanimously voted to approve Ordinance No. 2122, amending the Fiscal Year 2022-23 Adopted Budget.

ORDINANCE NO. 2122

AN ORDINANCE OF THE TOWN OF HIGHLAND PARK, TEXAS, AMENDING THE TOWN'S ADOPTED FISCAL YEAR 2022-23 COMBINED BUDGET.

Review, discuss, and consider approval of a construction contract for the 2023 Alley Reconstruction and Utility Improvements project. Lori Chapin, P.E., Director of Engineering, explained the construction contract is for reoccurring water and sewer infrastructure rehabilitation and replacement. This project consists of the reconstruction of the alley concrete and water and wastewater lines within four blocks. Three bids were received for this project. The bid in the amount of \$3,116,247 was submitted by Axis Contracting, Inc. Axis Contracting, Inc. has a strong reputation and experience with this type of work and has previously worked on Town alley projects. Construction is anticipated to begin in October and is estimated to be complete by the summer of 2024. In response to questions raised by Council Member Myers and Mayor Pro Tem Penfold, Ms. Chapin explained that this project is completed in phases for less impact on the residents. Currently, staff is focused on improving the east side of Highland Park alleys while the west side is completed. On a motion made by Mayor Pro Tem Craig Penfold, seconded by Council Member Leland White, the Town Council unanimously voted to approve a construction contract for the 2023 Alley Reconstruction and Utility Improvements project of all four blocks.

Review, discuss, and consider the opportunity for a Town Council Member to request an item to be placed on a future Town Council meeting agenda. The Mayor asked if any Town Council Member would like to request an item be placed on a future Town Council study session agenda for discussion or consideration. Mayor Pro Tem Penfold suggested reviewing the advertising sign ordinance because he had noticed a motor vehicle advertising their company. It would be beneficial to clarify what can and cannot be advertised.

Reports

Review and discuss the monthly Financial and Investment Report and Quarterly Investment Report for the period ending July 31, 2023. Karen Kurtin, C.P.A, Deputy Chief Financial Officer, presented highlights of the Financial and Investment Report. This report is for the period ending July 31, 2023, which marks the completion of the tenth month of the 2022 - 2023 fiscal year. Therefore, the year-to-date percentage for budgetary comparison purposes is 83.3%. General and Utility Fund combined revenues amount to \$42,552,863, which is 92.5% of the annual budgeted amounts. The General and Utility Fund combined expenditures and encumbrances amount to \$35,316,413 or 76.4% of the Fiscal Year 2022-2023 Combined Budget. The total market value of the Town's cash and investment portfolio on July 31st was \$62,254,315 yielding an average weighted return of 5.13%, with an average maturity of 113 days. Mayor Beecherl asked the Town Council if they had any questions, to which there were none.

Review and discuss updated and new legislation. At the request of Town Council, Matthew Boyle, Town Attorney, provided a high-level update regarding new legislation applicable to Texas municipalities. Mr. Boyle reviewed new legislation related to administration, community development, data and computer privacy, economic development, elections, finance, municipal court, open meetings, public information, personnel, property taxes, public safety, public works, purchasing, and utilities.

CLOSED SESSION

1. In accordance with the Texas Government Code, Section 551.074 – personnel matters – the Town Council will convene in closed session to deliberate the employment and duties of the Director of Public Safety.

Mayor Beecherl recessed the study session at 9:32 a.m. Mayor Beecherl convened a closed session at 9:36 a.m., pursuant to: (1) In accordance with the Texas Government Code, Section 551.074 – personnel matters – the Town Council will convene in closed session to deliberate the employment and duties of the Director of Public Safety.

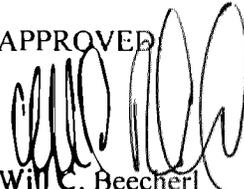
Mayor Beecherl ended the closed session at 9:50 a.m. and reconvened the study session in the open session at 9:50 a.m. No final action, decision, or vote was taken during the closed session.

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. On a motion made by Mayor Pro Tem Craig Penfold, seconded by Council Member Don Snell, the Town Council unanimously voted to ratify and approve the appointment of Chuck McGinnis as the Director of the Department of Public Safety.

Mayor Beecherl adjourned the meeting at 9:52 a.m.

APPROVED on this 3rd day of October 2023.

APPROVED

Will C. Beecherl
Mayor

ATTEST:


Joanna Mekeal
Town Secretary