



**TOWN OF SUNNYVALE
SUNNYVALE TOWN COUNCIL
REGULAR MEETING
MONDAY, SEPTEMBER 9, 2013
TOWN HALL - 127 N. COLLINS RD.
7:00 P.M.**

**MAYOR
MAYOR PRO-TEM
COUNCILMEMBER
COUNCILMEMBER
COUNCILMEMBER
COUNCILMEMBER**

**JIM PHAUP
KAREN HILL
SAJI GEORGE
RONNIE HENDERSON, JR
JIM WADE
JOHN BAILEY**

INVOCATION

Mayor Pro-Tem Hill led the invocation.

PLEDGE OF ALLEGIANCE

Mayor Phaup led the Pledge of Allegiance.

CALL MEETING TO ORDER

Mayor Phaup called the meeting to order at 7:02 p.m. All Councilmembers were present.

PUBLIC FORUM

Citizens may speak on any matter other than personnel matters or matters under litigation. No Town Council actions or discussion will be taken until such matter is placed on the agenda and posted in accordance with law.

Debbie Sheridan, 458 Barnes Bridge Rd, asked about the hash marks along Polly Road. These were placed for a bicycle race.

PROCLAMATION – FREEDOM FROM WORKPLACE BULLIES WEEK

Mayor Phaup presented a proclamation declaring Freedom from Workplace Bullies Week.

DISCUSSION/ACTION ITEMS:

TOWN ENGINEER:

- 1. DISCUSS PRELIMINARY COMPARITIVE ANALYSIS OF POTENTIAL WATER TOWER SITES TO INCLUDE A LOCATION ON THE NORTH SIDE OF TOWN AND AT SUNNYVALE INDEPENDENT SCHOOL DISTRICT, AND CONSIDER AUTHORIZING THE TOWN MANAGER TO PROCEED WITH CONSTRUCTION.**

Town Manager Vince DiMaggio introduced the item and the preliminary cost analysis showing the potential cost savings for constructing the water tower on Sunnyvale Independent School District (SISD) property.

Councilmember Henderson and Councilmember George voiced concerns relating to previous estimates relating to the proposed site on Barnes Bridge (North site).

In response to questions from the Council, Town Manager Vince DiMaggio stated that the engineering work moving forward will be completed by the new contract Engineer. The costs from SISD are unknown at this point.

Council directed Staff to setup a joint meeting with SISD to discuss locating a water tower on their property.

PUBLIC HEARINGS:

DEVELOPMENT SERVICES:

- 2. APPLICANT: SUNNYVALE DEVELOPMENT LTD.
AT OR ABOUT: HOMESTEAD DEVELOPMENT
REQUEST: AMEND ORDINANCE 464 TO ALLOW NONSEQUENTIAL PHASE
DEVELOPMENT.**

DISCUSS AND CONSIDER FIRST READING OF ORDINANCE 13-16: AN ORDINANCE OF THE TOWN OF SUNNYVALE, TEXAS, APPROVING AN AMENDMENT OF ORDINANCE NO. 464, NO. 362 AND NO. 290 KNOWN AS THE HOMESTEAD PRO, AMENDING SECTION III LAND USE AND DEVELOPMENT STANDARDS 3. LOCATION AND CONFIGURATION OF LAND USES AS IT RELATES TO SEQUENTIAL PHASING, PROVIDING FOR A SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

Director of Community Development Steve Gilbert introduced the request. The developer would like to develop Phases 5 and 6 of Homestead prior to developing Phase 3. Phase 4 has already been developed.

Applicant representative, Chris Jackson, 600 N. Pearl Street, Ste. 650, Dallas, stated this is to revive development within Homestead. Phase 5 is the best place for model homes. Mr. Jackson stated Staff's recommendation would require an additional meeting next month.

Mayor Phaup opened the Public Hearing. No comments were made. Mayor Phaup closed the Public Hearing.

There was lengthy discussion regarding the request. Town Manager Vince DiMaggio stated he could not support changing the language regarding sequential development of the phases as Planning and Zoning Commission recommended as it would relinquish the Town's oversight of the development process.

After additional discussion, Councilmember Wade made a motion to approve the first reading of Ordinance 13-16, changing the last sentence of Section 1 to read "Development of the property after August 19, 2013, should be sequential by phase, except that phases 5 and 6 may be developed prior to phase 3." Councilmember Henderson seconded the motion. Mayor Phaup called for a vote, and with Mayor Pro-Tem Hill, Councilmember Wade, Henderson, and

Councilmember Bailey voting affirmative, the motion passed 4/2. Mayor Phaup and Councilmember George voted against the motion.

**3. APPLICANT: STONEY CREEK PROPERTIES
AT OR ABOUT: TOWN EAST AND JOBSON ROADS
REQUEST: PRELIMINARY PLAT PHASE 1B**

Director of Community Development Steve Gilbert introduced the request.

Applicant representative Brent Murphree, 5225 Village Creek Drive, Plano, stated the applicant is okay with the Staff recommendation. Lot 18 has been corrected to meet the minimum lot width requirements.

Mayor Phaup opened the Public Hearing. No comments were made. Mayor Phaup closed the Public Hearing.

Mayor Pro-Tem Hill made a motion to approve the preliminary plat for Stoney Creek Phase 1B subject to Staff recommendations. Councilmember Henderson seconded the motion. Mayor Phaup called for a vote, and with all members voting affirmative, the motion passed 6/0.

DISCUSSION/ACTION ITEMS:

DEVELOPMENT SERVICES:

- 4. DISCUSS AND CONSIDER FIRST READING OF ORDINANCE 13-17: AN ORDINANCE OF THE TOWN OF SUNNYVALE, TEXAS; APPROVING AN AGREEMENT FOR CONSTRUCTION, MAINTENANCE AND OPERATION OF SAFETY LIGHTING SYSTEMS WITHIN MUNICIPALITIES, BETWEEN THE TOWN OF SUNNYVALE AND THE STATE OF TEXAS, ACTING THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION; APPROVING, AS ATTACHMENT NO. 1 TO THE AGREEMENT, TXDOT'S PLANS FOR THE LIGHTING SYSTEM AT THE INTERCHANGE OF U.S. HIGHWAY 80 AND STATE HIGHWAY 352 AND CONSENTING TO THAT LIGHTING SYSTEM; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT AND TO SIGN THE TITLE SHEET OF PLANS FOR THE 80/352 LIGHTING SYSTEM; PROVIDING FOR SEVERABILITY; FINDING COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE.**

Director of Community Development Steve Gilbert introduced the Ordinance. In response to a question from Councilmember Henderson, Director of Community Development Steve Gilbert stated the agreement includes all safety lighting.

5. **DISCUSS AND CONSIDER RESOLUTION 13-17: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE APPROVING AMENDMENT NO.1. TO CONTINUE THE TERMS AND AGREEMENT OF THE HOUSEHOLD HAZARDOUS WASTE NETWORK (HHW NETWORK) TO PROVIDE TO THE CITIZENS OF THE TOWN OF SUNNYVALE A HAZARDOUS WASTE COLLECTION PROGRAM THROUGH THE FISCAL YEAR 2014 FROM OCTOBER 1, 2013 – SEPTEMBER 30, 2014.**

Director of Community Development Steve Gilbert introduced the Resolution. In response to a question from Mayor Pro-Tem Hill, Director of Community Development Steve Gilbert stated special drop-off days are offered, but locations are usually not closer than the permanent Plano Road location. Staff will work with Mesquite to coordinate a drop-off day that is closer to Sunnyvale.

Councilmember George made a motion, seconded by Mayor Pro-Tem Hill, to approve Resolution 13-17 as presented. Mayor Phaup called for a vote, and with all members voting affirmative, the motion passed 6/0.

PUBLIC HEARINGS:

TOWN MANAGER:

6. **CONDUCT PUBLIC HEARING ON THE PROPOSED ANNUAL BUDGET OF THE TOWN OF SUNNYVALE FOR THE 2013-2014 FISCAL YEAR.**

Town Manager Vince DiMaggio reviewed the proposed budget and options regarding the Fire Department and employee compensation.

Councilmember George stated he felt it was paramount to hire a full-time, paid Fire Chief this fiscal year. It is not fair to expect a person to work a full-time job for nothing. This is the third budget cycle that does not include a plan for the Fire Department. We cannot continue to operate a vital Town department where life safety is an issue, with a volunteer leader. Councilmember George continued saying there have been complaints about response times and incident command. The Town needs leadership in this Department.

Councilmember Wade stated he hears Councilmember George's concerns that we aren't protecting our citizens well enough because we do not have a paid Chief. The Town's volunteer Chief runs almost every single call. The current Chief is providing the same protection of our citizens that would be provided by a paid Chief. Even with a paid Chief, the Town must still rely on volunteers. We may have a leadership issue, but we do not have a protection issue.

In response to Councilmember Wade's comments, Councilmember George stated that he is not against the individual who is acting as the volunteer chief, rather, he is not satisfied that the fire department has sufficient processes and systems in place to protect the citizens of the town, for training of our staff, protect citizens against structural fire, response to fire call, etc.

Councilmember Bailey agreed with Councilmember George. This position needs to be a full-time, paid position. Leadership can impact protection. If adding 3 full-time paid firefighter/paramedics takes us in the direction we need to go, then Councilmember Bailey stated he could support that. If we have a Fire Chief, we should pay them.

Regarding the Fire Department, Mayor Phaup, Mayor Pro-Tem Hill, and Councilmember Wade stated they were in favor of the Town Manager's recommendation to hire three full-time firefighter/paramedics, and purchase a new ambulance.

Regarding employee compensation, Councilmember Henderson stated he was completely against establishing \$15 per hour as a minimum wage for Town employees. He further stated he would like to see the Town Secretary and Finance Director salaries brought up to the average among their peer groups over two years. Funds need to be allocated to roads. Councilmember George stated he felt the reason the Council was not supporting a paid Fire Chief position was due to funding. Councilmember George stated his preference would be to hire a Fire Chief rather than give raises.

Councilmember Wade stated he was in favor of reconciling the salaries of the Town Secretary and Finance Director, raising the salary of all current full-time employees to \$15 per hour, and providing a 5% merit raise to employees with an "A" performance evaluation, and 3% for those with a "B" performance evaluation. Mayor Phaup and Mayor Pro-Tem Hill agreed with Councilmember Wade.

Town Manager Vince DiMaggio stated that in the case of the Town Secretary and Finance Director, the people cannot be separated from the positions. These people are vital to the management team and the Town Manager. The commitment of these two employees cannot be overstated.

Councilmember Bailey stated he was for reconciling the salaries of the Finance Director and Town Secretary and paying \$15 per hour for all current, full-time employees. Retaining people is important.

Councilmember Henderson stated he was not in favor of giving everyone a raise.

Mayor Phaup asked Councilmember Henderson if he did not want to give any raises to employees, and how the Town is to retain top performers without raises?

Councilmember Henderson responded stating if the money is budgeted, it will be spent. The Town has given raises, usually merit raises.

Councilmember Wade stated the impact of the proposal is \$66,000. This does not mean that it will all be spent. The Town can't make a significant difference in any other area of operations.

Mayor Phaup opened the Public Hearing. No comments were made. Mayor Phaup closed the Public Hearing.

Mayor Phaup stated there were two additional items he would like to see in the budget. Audio-visual improvements in the Council Chambers, and two monument signs to better define the Town limits, at a cost of \$12,000 total for the two signs. He asked the Town Manager to provide additional data regarding the cost of each option for the Fire Department and employee compensation options.

7. CONDUCT PUBLIC HEARING ON THE PROPOSED TAX RATE OF \$0.407962.

Mayor Phaup opened the Public Hearing. Cindy Bornowski, 106 Big Bend Circle, urged the Council to consider raising the tax rate. The Town has many needs that need to be met, particularly for public safety. No resident would argue with raising the tax rate to address public safety.

Mayor Phaup Phaup closed the Public Hearing.

DISCUSSION/ACTION ITEMS:

TOWN MANAGER:

- 8. DISCUSS AND CONSIDER FIRST READING OF ORDINANCE 13-18: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS RATIFYING A TAX RATE OF \$0.407962.**

THE SECOND READING OF ORDINANCE 13-18 WILL BE CONSIDERED ON MONDAY, SEPTEMBER 16TH, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF TOWN HALL.

The Council considered the first reading of Ordinance 13-18.

- 9. DISCUSS AND CONSIDER FIRST READING OF ORDINANCE 13-19: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS MAKING APPROPRIATIONS FOR THE SUPPORT OF THE TOWN OF SUNNYVALE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013, AND ENDING SEPTEMBER 30, 2014; AND ADOPTING THE ANNUAL BUDGET OF THE TOWN OF SUNNYVALE FOR THE 2013-2014 FISCAL YEAR.**

THE SECOND READING OF ORDINANCE 13-19 WILL BE CONSIDERED ON MONDAY, SEPTEMBER 16TH, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF TOWN HALL.

The Council considered the first reading of Ordinance 13-19.

- 10. DISCUSS AND CONSIDER FIRST READING OF ORDINANCE 13-20: AN ORDINANCE BY THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS PROVIDING FOR THE LEVYING OF PROPERTY TAXES FOR TAX YEAR 2013; AND ENACTING PROVISIONS RELATING TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE.**

THE SECOND READING OF ORDINANCE 13-20 WILL BE CONSIDERED ON MONDAY, SEPTEMBER 16TH, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF TOWN HALL.

The Council considered the first reading of Ordinance 13-20.

DISCUSSION ITEMS:

TOWN MANAGER:

11. TOWN MANAGER UPDATE ON ITEMS OF COMMUNITY INTEREST.

Town Manager Vince DiMaggio stated that he had a conference call with the Texas Department of Transportation (TxDoT) Engineer recently, and TxDoT has decided to make the turn-back program voluntary.

MAYOR & COUNCIL

12. MAYOR AND COUNCIL REQUESTS FOR FUTURE STAFF UPDATES AND AGENDA ITEMS.

Mayor Phaup informed the public the Sunnyvale Homecoming Parade will be on Saturday, September 21st at 10:00 a.m. Mayor Phaup also asked Staff to schedule a discussion with Fire Department leadership for the first regular Council meeting in October.

Mayor Pro-Tem Hill asked Staff to review signage regarding truck routes. Town Manager Vince DiMaggio stated he was working with Sergeant Jacks to determine truck routes through Town.

Mayor Phaup stated that the rebuild of Jobson Road is already failing and asked Staff to look into the problems.

Councilmember Henderson announced the Sunnyvale Education Foundation Golf Trournament is scheduled for October 12 at Buffalo Creek in Rockwall.

ADJOURN

Mayor Phaup adjourned the meeting at 9:57 p.m.

The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

Mayor Jim Phaup

ATTEST:

Leslie Malone, Town Secretary



**TOWN OF SUNNYVALE
SUNNYVALE TOWN COUNCIL
SPECIAL MEETING
MONDAY, SEPTEMBER 9, 2013
6:00 P.M.**

	MAYOR	JIM PHAUP
	MAYOR PRO-TEM	KAREN HILL
	COUNCILMEMBER	SAJI GEORGE
	COUNCILMEMBER	RONNIE HENDERSON, JR
	COUNCILMEMBER	JIM WADE
ABSENT	COUNCILMEMBER	JOHN BAILEY

CALL MEETING TO ORDER

Mayor Phaup called the meeting to order at 6:05 p.m. Councilmember Bailey was absent.

INTERVIEW BOARD AND COMMISSION APPLICANTS

The Town Council interviewed Diane Turner, Ken Wilson, and Sarah Bradford.

ADJOURN

Mayor Phaup adjourned the meeting at 6:54 p.m.

The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

Mayor Jim Phaup

ATTEST:

Leslie Malone, Town Secretary