

The City Council of the City of Garland, Texas convened in regular session at 7:00 p.m. on Tuesday, September 17, 2013, in the Council Chambers at City Hall with the following members present:

Mayor	Douglas Athas
Mayor Pro Tem	Lori Barnett Dodson
Councilmember	Anita Goebel
Councilmember	Stephen W. Stanley
Councilmember	B.J. Williams
Councilmember	John Willis
Councilmember	Scott LeMay
Councilmember	Jim Cahill

MEMBERS ABSENT: Councilmember Marvin 'Tim' Campbell

STAFF PRESENT: Assistant City Manager Bryan Bradford
City Attorney Brad Neighbor
City Secretary Lisa Palomba

CALL TO ORDER: The meeting was called to order by Mayor Douglas Athas. District 5 Councilman Willis led the Invocation and Pledge of Allegiance.

CEREMONIALS: 1) Mayor Athas recognized the Wastewater Management staff for receiving the National Association for Clean Water Agencies' Gold Peak Performance Award for 2012 and 2) Mayor Athas introduced the 2013-2014 Garland Youth Councilmembers and Staff Liaisons Dorothy White, Cheryl Lowdermilk, Tralana Pollard, and Beth Dattomo.

ANNOUNCEMENTS: Mayor Athas commented on the following: 1) Garland's Healthy Living Expo is scheduled for Saturday, September 21, 2013 at the Curtis Culwell Center from 9 a.m. to 1 p.m. and 2) Mayor's Evening Out event is scheduled for Thursday, September 26 from 5 to 7 p.m. to be held at the North Garland Library; and 3) the Garland Annual Neighborhood Summit is scheduled for Saturday, October 26, 2013.

Additionally, Councilman Williams offered condolences to the family of Kathy Cole who perished in a recent fire and provided accolades to the Fire and Police Departments for their response to the incident. Councilman Williams announced that he and Councilman Stanley will host a Small Business Resource Breakfast to be held on Monday, October 21, 2013

from 7 to 9 a.m. to be held at the South Garland Library. Additionally, Councilman Williams announced that he will be hosting a Town Hall Meeting on the topic of crime prevention on October 22, 2013 to be held from 6:30 to 8 p.m. at the South Garland Library. Finally, Councilwoman Goebel announced that the last Downtown Marketplace event for the 2013 season will be held this Saturday.

- CONSENT AGENDA: All items marked with asterisks (**) on the Consent Agenda were voted on in a single motion at the beginning of the meeting. Mayor Athas announced that Item 8 is pulled from the Consent Agenda for individual consideration. A motion was made by Councilman Willis, seconded by Councilman Stanley, to approve Items: 1, 2a, 2b, 2c, 3a, 3b, 3c, 3d, 3e, 4, 5, 6, 7, and 9. A vote was cast and the motion carried with 8 Ayes; 0 Nays (Campbell, absent).
1. APPROVED** City Council minutes of the September 17, 2013 Regular Meeting.
- 2a. APPROVED** Award of Bid No. 3717-13 in the amount of \$1,485,155.25 to Chapman Construction with an optional contingency fee of \$148,515.75 for a total award of \$1,633,671 to provide all labor and equipment necessary for the construction of a second transmission line circuit for the Denton 138kV Loop, Phase 2.
- 2b. APPROVED** Award of Bid No. 3720-13 in the amount of \$5,335,525.19 to Tiseo Paving Co. to provide for the removal of approximately 6,086 linear feet of Northwest Highway from Centerville Road to La Prada and reconstruction of a three-lane divided thoroughfare with associated pavement markings, sidewalks, drainage, water, sanitary sewer, street light conduit, street light foundations, irrigation, and landscaping improvement in medians and parkways.
- 2c. APPROVED** Award of Bid No. 3766-13 in the amount of \$109,200 to David Copeland Sand Gravel, Inc. to provide crushed limestone surfacing rock for the Garland Power and Light Substation located in Nevada, Texas.
- 3a. APPROVED** Ordinance No. 6643 amending the zoning laws of the City of Garland, by approving a change in zoning from Agricultural (AG) District to a Planned Development (PD) District for Single Family Uses and a Detail Plan for Single-Family Homes on a 28.28-acre tract of land located northwest of the

intersection of West Campbell Road and Callejo Road. (Oak Ridge Investments, Zoning File No. 13-22)

3b. APPROVED**

Ordinance No. 6644 amending the zoning laws of the City of Garland, by approving a change in zoning from Central Area 1(CA-1) District to Planned Development (PD) District for Central Area 1 (CA-1) Uses and a Detail Plan for Multi-Family on 1.76-acre and 0.162-acre tracts of land located southeast of the intersection of Austin Street and North Fifth Street and 203 North fifth Street, west of North Fifth Street and north of State Street. (Oaks Properties, LLC, Zoning File No. 13-26)

3c. APPROVED**

Ordinance No. 6645 amending the zoning laws of the City of Garland, by approving a Detail Plan for Retail Sales/Personal Services, on a 1.033-acre tract of land zoned Planned Development (PD) District 99-04 for Shopping Center Uses and in the SH 190 Overlay located at 5550 Lavon Drive. (Hutton Growth One, LLC, Zoning file No. 13-30)

3d. APPROVED**

Ordinance No. 6646 amending the zoning laws of the City of Garland, by approving an amendment to the Planned Development (PD) District 12-28 for Shopping Center Uses, a Detail Plan and a Specific Use Permit on a 6.6-acre tract of land located at 3401 South Garland Avenue, west of South Garland Avenue, east of South Shiloh Road, and north of McCree Road. (RaceTrac, Zoning File No. 13-31)

3e. APPROVED**

Ordinance No. 6647 amending the zoning laws of the City of Garland, by approving an amendment to the Planned Development (PD) District 09-20 for Freeway Uses and an amended Concept Plan on a 24.5-acre tract of land located south of IH 30, west of Broadway Boulevard. (Mitchell Planning Group, LLC, Zoning File No. 13-32)

4. APPROVED**

Minute action approving the reappointment of Ben Williamson as the point of contact for the National Incident Management System.

5. APPROVED**

Minute action authorizing the City Manager, or his representative, to execute Change Order No. 1 to BL 05289 GP&L Asbestos Abatement in the amount of \$60,245.30 (a 63% increase) to provide for the additional insulation requirements. The BL 05289 original amount of \$95,000 will be increased to \$155,245.30.

6. APPROVED** Resolution No. 10120 rescheduling the October 1, 2013 Regular Meeting of the City Council to October 2, 2013.
7. APPROVED** Minute action authorizing the execution of a consulting services agreement with Focused Advocacy for a term of two years.
9. APPROVED** Minute action authorizing the Mayor and City Secretary to enter into an Election Services Contract providing election services for the November 5, 2013 Special Election between the City of Garland and Collin County Elections for an amount not to exceed \$5,000.

ITEMS FOR INDIVIDUAL CONSIDERATION:

8. APPROVED Councilman Willis, seconded by Councilman Cahill, made a motion to approve authorizing the Mayor and City Secretary to enter into a joint Election Services Agreement/Contract providing election services for the November 5, 2013 Special Election between and among the City of Garland, Dallas County, and other participating political subdivisions for an amount not to exceed \$62,000. A vote was cast and the motion carried with 8 ayes, 0 nays (Campbell, absent).
10. HELD & APPROVED Managing Director of Health and Code Compliance Richard Briley provided background information regarding this item. Mayor Athas opened the public hearing. No one spoke during the public hearing. Mayor Pro Tem Dodson, seconded by Councilmember LeMay, made a motion to approve Ordinance No. 6649 amending Chapter 32, "Neighborhood Sanitation and Housing Services", of the Code of Ordinances of the City of Garland as it relates to "junked trailers." A vote was cast and the motion carried with 8 ayes, 0 nays (Campbell, absent).
11. APPROVED Managing Director of Health and Code Compliance Richard Briley provided background information regarding this item. Mayor Athas opened the public hearing. No one spoke during the public hearing. Mayor Pro Tem Dodson, seconded by Councilwoman Goebel, moved to approve Ordinance No. 6649 amending Chapter 33, "Transportation" and Chapter 24, "Municipal Court and Administration Adjudication" of the Code of Ordinances of the City of Garland as it relates to parking restrictions for any portion of a vehicle extending more than 102 inches in the street from the curb face or edge of pavement. A vote was cast and the motion carried with 8 ayes, 0 nays (Campbell, absent).

12a. HELD & APPROVED Director of Planning Anita Russelmann provided background information regarding the application of Discount Tire Company, requesting approval of 1) a Detail Plan and 2) a Specific Use Permit for Tire Dealer, No Outside Storage on a property zoned Planned Development (PD) District 06-37 for Freeway Uses and in the IH 635 Overlay District. The property is located at 1500 Eastgate Drive. (File 13-33)

Mayor Athas opened the public hearing to accept public input. Tommy Mann, representing Discount Tire Company, provided information regarding the request. No other persons spoke during the public hearing.

Councilman Willis, seconded by Councilman Cahill, made a motion to close the public hearing and to approve the request as recommended by the Plan Commission. Staff will bring forth an ordinance for formal consideration at a future meeting. A vote was cast and the motion to approve carried with 8 ayes, 0 nays (Campbell, absent).

12b. HELD & APPROVED Director of Planning Anita Russelmann provided background information regarding the application of Joann Tran, requesting approval of 1) an amendment to Planned Development (PD) District 74-65 for Townhouse Uses and 2) an amended Detail Plan. This property is located at 2100 Windy Drive, north of Stoneleigh Drive and east of Windy Drive. (File 13-34)

Mayor Athas opened the public hearing to accept public input. No one spoke during the public hearing.

Councilman LeMay, seconded by Mayor Pro Tem Dodson, moved to close the public hearing and approve the application as recommended by the Plan Commission. Staff will bring forth an ordinance for formal approval at a future meeting. A vote was cast and the motion to approve carried with 8 ayes, 0 nays (Campbell, absent).

12c. HELD & APPROVED Director of Planning Anita Russelmann provided background information regarding the application of Loveth/Tony, requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District. The property is located at 219 West Kingsley Road, Suite 322. (File 13-36)

Mayor Athas opened the public hearing to accept public input. The applicants presented their request. No other person spoke during the public hearing.

Councilman Willis made a motion, seconded by Councilman Stanley, to close the public hearing and approve the application as recommended by the Plan Commission. Staff will bring forth an ordinance for formal approval at a future meeting. A vote was cast and the motion to approve carried with 8 ayes, 0 nays (Campbell, absent).

12d. HELD & APPROVED Director of Planning Anita Russelmann provided background information regarding the Willis Early Learning Center, requesting approval of a Specific Use Permit for a Kindergarten, Preschool, or Child Care Center on property zoned Single Family (SF-7) District. The property is located at 2600 Broadway Boulevard. (File 13-37)

Mayor Athas opened the public hearing to accept public input. The following persons provided public comment in favor of the request: Reverend Eddie Hill and Cassie Willis. The following persons spoke in opposition to the request: Courtney Stem and Christina Calloway.

Discussion was held among councilmembers. Councilwoman Goebel made a motion, seconded by Councilman Stanley, to close the public hearing and approve the request as recommended by staff. A vote was cast and the motion carried with 8 ayes, 0 nays (Campbell, absent).

13. APPOINTMENTS The following names were placed in nomination:

Albert Kraft – Housing Standards Board (Athas)
Bruce Austin – Board of Adjustment (Dodson)
Fran Grove Brown – CENAC (Dodson)
Barbara Chick – Library Board (Dodson)
Gregory Davis – Parks and Recreation Board (Dodson)
Ricardo Rocha – Community Multicultural Commission (Dodson)
Myron Craig Wright – Garland Cultural Arts Commission (Dodson)

A vote was cast and the nominations carried with 8 ayes, 0 nays (Campbell, absent)

14. CITIZEN COMMENTS No citizen comments.

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 8:05 p.m.

CITY OF GARLAND

Signed:

Douglas Athas, Mayor

Attest:

Lisa Palomba, City Secretary