

The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Tuesday, November 17, 2009, in the Council Chambers at City Hall with the following members present:

Mayor	Ronald E. Jones
Mayor Pro Tem	Laura Perkins Cox
Councilmember	Douglas Athas
Councilmember	Preston Edwards
Councilmember	Larry Jeffus
Councilmember	John Willis
Councilmember	Barbara Chick
Councilmember	Darren Lathen
Councilmember	Rick Williams

STAFF PRESENT:	City Manager	Bill Dollar
	City Attorney	Brad Neighbor
	City Secretary	Mary J. Kayser
	Deputy City Secretary	Debra Booth

CALL TO ORDER: The meeting was called to order by Mayor Ronald E. Jones. Mayor Pro Tem Cox led the invocation and the pledge.

CEREMONIALS: Mayor Jones presented a Proclamation for Orphan Awareness Month.

Mayor Jones recognized Youth Leadership Garland.

Mayor Jones recognized Boy Scout Troop 1978.

CONSENT AGENDA: All items marked with asterisks (**) on the Consent Agenda were voted on at the beginning of the meeting. Motion was made by Mayor Pro Tem Cox, seconded by Councilmember Edwards to approve Consent Agenda Item #'s: 1, 2, 3 and 4. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

The record reflects that Councilmember Lathen abstained from item 2 due to a conflict of interest. A statement setting out the extent of the conflict is on file with the City Secretary.

1. Approved** Approve the minutes of the November 3, 2009 Regular Meeting.

2. Approved** Award the bid for the Telephone System Upgrade (Bid No. 41-10) to Verizon in the amount of \$197,164.85.
3. Approved** Resolution 9905 establishing December 8, 2009 as the meeting schedule for the second Regular Meeting of the City Council for the month of December 2009.
4. Approved** Resolution 9906 accepting a Texas Department of Transportation Impaired Driving Mobilization Selective Traffic Enforcement Program Grant.
5. Approved Hold a public hearing and consider an ordinance ordaining the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing tax incentives, designating a liaison for communication with interested parties, nominating Sears Logistics Services, Inc. to the Office of the Governor, Economic Development Tourism through the Economic Development Bank as an enterprise project.

Mayor Jones opened the public hearing at 7:10pm. Speaking on this item was Paul Mayer.

Motion was made by Councilmember Chick and second by Mayor Pro Tem Cox to close the public hearing at 7:12pm and to approve Ordinance 6366 ordaining the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing tax incentives, designating a liaison for communication with interested parties, nominating Sears Logistics Services, Inc. to the Office of the Governor, Economic Development Tourism through the Economic Development Bank as an enterprise project. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

- 6a. Postponed Consider the application of QuikTrip, requesting approval of 1) an amendment to Planned Development (PD) District 85-28 for Shopping Center Uses, 2) a Concept Plan, and 3) a Specific Use Permit for Retail Sales with Gas Pumps. The property is located at 4906 Jupiter Road. (File 09-33)

Speaking on this item was Neil Montgomery, Senior Managing Director of Development Services.

Motion was made by Councilmember Williams and second by Councilmember Lathen to postpone consideration of the application of QuikTrip, requesting approval of 1) an amendment to Planned Development (PD) District 85-28 for Shopping Center Uses, 2) a Concept Plan, and 3) a Specific Use Permit for Retail Sales with Gas Pumps. The property is located at 4906 Jupiter Road until December 1, 2009. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

6b. Approved

Consider the application of First Response Restoration, requesting approval of 1) an amendment to Planned Development (PD) District 03-47 for Transit Oriented Development, and 2) a Detail Plan for expansion of a Used Auto Sales and Tire Dealer. The property is located at 3430 Forest Lane. (File 09-34)

Mayor Jones opened the public hearing at 7:15pm. Speaking on this item was Neil Montgomery, Senior Managing Director of Development Services.

Motion was made by Councilmember Chick to close the public hearing at 7:18pm and to approve the application of First Response Restoration, requesting approval of 1) an amendment to Planned Development (PD) District 03-47 for Transit Oriented Development, and 2) a Detail Plan for expansion of a Used Auto Sales and Tire Dealer. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

6c. Approved

Consider the application of Alpha Academy, requesting approval of a Specific Use Permit for a Charter School on property zoned Central Area-1 (CA-1) District. The property is located at 701 West State Street. (File 09-39)

Mayor Jones opened the public hearing at 7:18pm. Speaking on this item were Neil Montgomery, Senior Managing Director of Development Services, Charles York and Todd Christian.

Motion was made by Mayor Pro Tem Cox and second by Councilmember Jeffus to close the public hearing at 7:22pm and to approve the application of Alpha Academy, requesting approval of a Specific Use Permit for 5 years for a Charter School on property zoned Central Area-1 (CA-1) District. The property is located at 701 West State Street. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

7. Citizen comments.

The following individuals did not speak but registered their position against use of CO gas at the animal shelter:

Cerella Long
Haeley Long
Brad Konrath
Laura Konrath
Dian Wright
Marnie Holden
Stefanie W. Boles
Garnell McMichael
Mary Long
Rachael Swink
Lori Hill
Michelle Ferrer
John Pippin
Yolanda Shewbirt
Stacy Cisneros
Merna Bishop
Rick Schmidt

There being no further business to come before the City Council, Mayor Jones adjourned the meeting at 7:25 pm.

CITY OF GARLAND

Signed:

Mayor Ronald E. Jones

Attest:

Mary J. Kayser, City Secretary