

The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Tuesday, September 1, 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 who led the invocation and the pledge.

CEREMONIALS: Mayor Jones recognized Richard Briley, Director of Health. Mr. Briley recognized Kelly Kirkpatrick-Stockburger, President of the Texas Environmental Health Association who presented 2009 Service Awards to State Representative Angie Chen Button, Councilmember Larry Jeffus and Richard Briley for their help in passing HB 1530.

Mayor Jones recognized Boy Scout Troop 1188.

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, and second by Councilmember Edwards to approve Consent Agenda Item #'s: 1, 2a, 2b, 3a, 3b, 4, 5 and 7. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

1. Approved** Approve the minutes of the August 18, 2009 Regular Meeting.

2a. Approved** Award the bid for External Audit Services (Bid No. 379-09) to Deloitte & Touche, LLP in the amount of \$199,550.00.

- 2b. Approved** Award the bid for the construction of the Harris Hollabaugh Park Recreation Center (Bid No. 420-09) to Ratcliff Constructors, L.P. in the amount of \$2,284,390.00.
- 3a. Approved** Ordinance 6344 approving a Specific Use Permit for Reception Facility on a 0.13-acre tract of land zoned Shopping Center District, located at 219 West Kingsley Road, Suite 322. (Zoning File No. 09-27, Margie Castro)
- 3b. Approved** Ordinance 6345 approving an amendment to Planned Development District 05-49 for Single Family Uses regarding fencing specifications on a 14.1-acre tract located south of Campbell Road and west of Brand Road. (Zoning File No. 09-28, Megatel Homes, Inc.)
4. Approved** Ordinance 6346 amending the tax roll of the City of Garland.
5. Approved** Ordinance 6347 authorizing the issuance of City of Garland, Texas Tax Notes, Series 2009A in the amount of \$5.9 million to provide funding for street improvements, fire vehicles and apparatus, and landfill closure.
6. Approved Consider a resolution adopting and approving the Consolidated Plan – One Year Plan of Action including a Statement of Projected Use of Funds for the 2009-2011 Homelessness Prevention and Rapid Re-Housing Program.
- Motion was made by Councilmember Williams and second by Councilmember Willis to approve Resolution 9892 adopting and approving the Consolidated Plan – One Year Plan of Action including a Statement of Projected Use of Funds for the 2009-2011 Homelessness Prevention and Rapid Re-Housing Program. Motion carried: 7 Ayes; 1Nays (Lathen); and 0 Abstentions.
- The record reflects that Mayor Pro Tem Cox abstained from item 6 due to a conflict of interest. A statement setting out the extent of the conflict is on file with the City Secretary.
7. Approved** Minute action reappointing Dr. Timothy Lambert as Garland Health Officer.
8. Approved Consider an ordinance adopting the operating budget for fiscal year 2009-10, providing budgetary appropriations for the

various funds of the City, amending the current budget as revised, authorizing the City Manager to make adjustments; and establishing an effective date for such actions.

Speaking on this item were Todd Peele and Chad Purcell.

Motion was made by Mayor Pro Tem Cox and second by Councilmember Edwards to approve Ordinance 6348 adopting the operating budget for fiscal year 2009-10, providing budgetary appropriations for the various funds of the City, amending the current budget as revised, authorizing the City Manager to make adjustments; and establishing an effective date for such actions.

Motion was made by Councilmember Lathen to amend the motion by reinstating the step raises for fiscal year 2009-2010.

The motion died for lack of a second.

The Mayor called for the vote on the main motion. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

9. Approved**

Consider an ordinance fixing the tax rate and tax levy for the City of Garland for the fiscal year 2009-10 upon all taxable property in the City of Garland, in conformity with the laws of the State of Texas and the Charter provisions and ordinances of the City of Garland; repealing all ordinances, or parts of ordinances, in conflict therewith.

Motion was made Mayor Pro Tem Cox and second by Councilmember Edwards to approve Ordinance 6349 fixing the tax rate and tax levy for the City of Garland for the fiscal year 2009-10 upon all taxable property in the City of Garland, in conformity with the laws of the State of Texas and the Charter provisions and ordinances of the City of Garland; repealing all ordinances, or parts of ordinances, in conflict therewith. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

10. Approved** Consider an ordinance amending various sections of the Code of Ordinances of the City of Garland relating to fees for various services provided by the City.
- Motion was made by Mayor Pro Tem Cox and second by Councilmember Jeffus to approve Ordinance 6350 amending various sections of the Code of Ordinances of the City of Garland relating to fees for various services provided by the City. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.
11. Approved** Consider an ordinance establishing civil service classifications within the Police and Fire Departments; prescribing the number of positions in each classification; prescribing the base salary and types of pay for those classifications.
- Motion was made by Mayor Pro Tem Cox and second by Councilmember Willis to approve Ordinance 6351 establishing civil service classifications within the Police and Fire Departments; prescribing the number of positions in each classification; prescribing the base salary and types of pay for those classifications. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.
12. Approved** Consider an ordinance amending Section 11-800 of Ordinance No. 4647.
- Speaking on this item was Assistant City Attorney, Mike Betz.
- Motion was made by Mayor Pro Tem Cox and second by Councilmember Willis to approve Ordinance 6352 regarding requirements related to proportionality between the number of bedrooms in a single family residential structure and the number and type of bathrooms and living areas within the structure. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.
- 13a. Approved** Consider the application of Encore Recyclers, Inc., requesting approval of 1) a Specific Use Permit for a Recycling Center on property zoned Industrial-1 District, and 2) a variance to Section 10-200 of Comprehensive Zoning Ordinance 4647 regarding off-street parking requirements. The property is located north of Forest Lane, west of Shiloh Road. (File 09-29)

The mayor opened the public hearing at 7:57 pm. Speaking on this item was Neil Montgomery, Senior Managing Director of Development Services and Mike Cook.

Motion was made by Councilmember Chick and second by Councilmember Williams to close the public hearing at 8:02 pm and to approve the application of Encore Recyclers, Inc., requesting approval of 1) a Specific Use Permit for 20 years for a Recycling Center on property zoned Industrial-1 District, and 2) a variance to Section 10-200 of Comprehensive Zoning Ordinance 4647 regarding off-street parking requirements. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

13b. Approved**

Consider the application of Thelma Ugwu, requesting approval of a Specific Use Permit for a Reception Facility on property zoned Industrial-1 District. The property is located at 2800-2830 Kingsley Road (2818; Suite 102A, and 102B). (File 09-31)

The Mayor opened the public hearing at 8:03 pm. Speaking on this item was Neil Montgomery, Senior Managing Director of Development Services.

Motion was made by Councilmember Willis and second by Councilmember Chick to close the public hearing at 8:04 pm and to approve the application of Thelma Ugwu, requesting approval of a Specific Use Permit for 5 years for a Reception Facility on property zoned Industrial-1 District. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

13c. Approved**

Consider the application of Grand Ideas Unlimited, requesting approval of a Specific Use Permit for a Kindergarten, Preschool, or Child Care Center on property zoned Single Family District. The property is located at 5902 North Jupiter Road. (File 09-32)

The Mayor opened the public hearing at 8:04 pm. 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 close the public hearing at 8:06 pm and to approve the application of Grand Ideas Unlimited, requesting approval of a Specific Use Permit for 20 years for a Kindergarten, Preschool, or Child Care Center on property

zoned Single Family District. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

14. Approved**

Consider appointments to Boards and Commissions.

Motion was made by Councilmember Edwards to appoint the following individuals to the listed boards:

Jack D. Patterson – Senior Citizens Advisory Commission

Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

Motion was made by Councilmember Chick to appoint the following individuals to the listed boards:

Fran Grove Brown – CENAC

Jennifer Najera Hague – Community Multicultural Comm.

Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

At this time the Mayor turned the meeting over to Mayor Pro Tem Cox.

Motion was made by Mayor Jones to appoint the following individuals to the listed boards:

John Kenneth Kaiwi – Board of Adjustment

Christopher Ott – Building and Fire Code

Sunbola S. Ashimi – Community Multicultural Comm.

Wayne Wilmany – Housing Standards Board

Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

At this time Mayor Pro Tem Cox returned the meeting to the Mayor.

Motion was made by Councilmember Williams to appoint the following individuals to the listed boards:

Scott Trepinski – CENAC

Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

15.

Citizen comments.

None

There being no further business to come before the City Council, Mayor Jones adjourned the meeting at 8:10 pm.

CITY OF GARLAND

Signed:

Mayor Ronald E. Jones

Attest:

Mary J. Kayser, City Secretary