

The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Tuesday, August 4, 2008, in the Council Chambers at City Hall with the following members present:

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

STAFF PRESENT:	City Manager	Bill Dollar
	City Attorney	Brad Neighbor
	City Secretary	Mary J. Kayser
	Recording Secretary	Yvonne Naser

CALL TO ORDER: The meeting was called to order by Mayor Ronald E. Jones. Councilmember Athas led the invocation and the pledge was led by Josh Gregory from Troop 437.

CEREMONIALS: Representative Carol Kent made presentations to the Mayor and to Councilmembers Willis, Cox, Chick, and Lathen. Representative Kent presented the Mayor with a copy of the bill giving historical designation to the Bankhead Highway a portion of which runs through Garland.

Mayor Jones and Councilmember Athas presented a Special Recognition to Jay Jones for his service to the community.

Terry McGeath representing the Texas Municipal Library Directors Association presented the Library Board and Library Director Claire Bausch with the TMLDA Award of Excellence.

The Mayor recognized Boy Scout Troop 360.

CONSENT AGENDA: All items marked with asterisks (**) on the Consent Agenda were voted on at the beginning of the meeting. Motion was made by Councilmember Jeffus, seconded by Councilmember Willis to approve Consent Agenda Item #'s: 1, 2a, 2b, 2c, 2d, 3, 5, 6, 8 and 9. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

1. Approved** Approval of the minutes of the July 21, 2009 Regular Meeting.

- 2a. Approved** Award the bid for Dental Coverage (Bid No. 210-09) to Ameritas Group in the amount of \$460,428.00.
- 2b. Approved** Award the bid for Olinger Hot Gas Path Inspection and Repair (Bid No. 316-09) to Turbo Care, Inc. in the amount of \$368,902.00, to Wood Group Heavy Ind. Turbines, LP in the amount of \$120,500.00, and Contingency Item #1 of \$30,125.00 and Contingency Item #2 in the amount of \$55,335.00 for a Total of \$574,862.00.
- 2c. Approved** Award the bid for Traffic Signal Installation/Modernizations (Bid No. 388-09) to Mel's Electric, L.P. in the amount of \$1,115,250.75.
- 2d. Approved** Award the bid for Audubon Park Playground Improvements (Bid No. 452-09) to the Playwell Group in the amount of \$146,756.08.
3. Approved** Ordinance 6332 approving an amendment to Planned Development (PD) District 82-42 for Single-Family and Duplex Uses on an approximately 144.45-acre tract located north of West Buckingham Road, west of North Garland Avenue and east of Sam Houston Drive. (Zoning File No. 09-21, City of Garland)
4. Approved Consider a resolution designating the community room at the Charles E. Duckworth Utility Services Building as the "Goldie Locke Community Meeting Room."
- Speaking on this item were Denise Richards and the family of Goldie Locke, B.J. Williams and Claudia Jenkins.
- Motion was made by Councilmember Cox and second by Councilmember Jeffus to approve Resolution 9888 designating the community room at the Charles E. Duckworth Utility Services Building as the "Goldie Locke Community Meeting Room." Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

5. Approved**
Ordinance 6333 amending Chapter 26, “Police – Miscellaneous Provisions and Offenses” of the Code of Ordinances of the City of Garland regarding home solicitation.
6. Approved**
Ordinance 6334 changing street names within the City of Garland for segments of Country Club Road and Commerce Street due to the new alignment of Country Club north of SH 66.
7. Approved
Consider by minute action approval of the Council Rules of Order and Procedure for meetings.

Motion was made by Mayor Pro Tem Williams and second by Councilmember Chick to approve the Council Rules of Order and Procedure for meetings with Section 3 – Public Testimony at Meetings, Section b – Identification of Speaker to read as follows: When called upon, the person to speak shall come to the podium and state his or her name and address. If speaking for an organization or other group, the speaker shall identify the group represented. A speaker who does not wish to testify may nonetheless register a position on an agenda item by completing a speaker’s card. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.
8. Approved**
Resolution 9889 authorizing and ratifying the purchase of certain real property from the Young Men’s Christian Association of Metropolitan Dallas located within the 1900 block of SH 66 from the Young Men’s Christian Association of Metropolitan Dallas. This tract will be used for the future development of a new Transmission and Distribution facility for GP&L.
9. Approved**
Ordinance 6335 ordaining the City’s participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2302, Texas Government Code, providing tax incentives, designating a liaison for communication with interested parties, nominating Ecolab, Inc. to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank as an enterprise project.
10.
Presentation of the 2009-10 Proposed Budget.

City Manager Bill Dollar presented the 2009-10 Proposed Budget.

11. Proposal to vote on Proposed Tax Rate for 2009-10.

Speaking on this item was Mike Rose.

Motion was made by Councilmember Cox and second by Councilmember Jeffus to place an item on the Council agenda for September 1, 2009 calling for the adoption of a tax rate equaling 70.46 cents per \$100 of valuation for the fiscal year beginning October 1, 2009. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

Mayor Jones called for two public hearings to be held on the proposed ad valorem tax rate of 70.46 cents for \$100 of valuation – which is scheduled for adoption on September 1, 2009 at 7:00 PM in the City Council Chambers at Garland City Hall. The Public Hearings will be held on:

Tuesday – August 18, 2009 at 7:00 PM at Garland City Hall
Wednesday – August 26, 2009 also at 7:00 PM at Garland City Hall.

12. Consider by minute action the election of a Mayor Pro Tem and Deputy Mayor Pro Tem.

Motion was made by Mayor Pro Tem Williams to nominate Councilmember Athas for Mayor Pro Tem.

Motion was made by Councilmember Jeffus to nominate Councilmember Laura Cox for Mayor Pro Tem.

Councilmember Athas received 4 votes (Athas, Edwards, Lathen and Williams)

Councilmember Cox received 5 votes (Cox, Jones, Willis, Chick and Jeffus)

Councilmember Cox was elected Mayor Pro Tem.

There were no nominations for Deputy Mayor Pro Tem.

13. Held Public Hearing Hold a public hearing regarding the 2009-11 Homelessness Prevention and Rapid Re-Housing Budget.

Mayor Jones opened the public hearing on this item at 7:58 PM. Speaking on this item were:

Kathleen West – Good Samaritans
Michael Bencheck – Good Samaritans
Sam Prince – Legal Aid of Northwest Texas
Jennifer Morrison – New Beginnings Center
Annie Dickson – Urban League
Daneshe' Bethune – Salvation Army
Denish Wilson Owens – Garland Housing Agency
Aaron H. Gaddis – Mount Hebron Urban Community Housing
David Estrada – Interfaith Housing Coalition

There being no further speakers the public hearing was closed at 8:22 PM.

The record reflects that Councilmember Cox abstained from item 13 due to a conflict of interest. A statement setting out the extent of the conflict is on file with the City Secretary.

14. Held Public Hearing

Hold a public hearing regarding temporary special purpose signs.

The Mayor opened the public hearing at 8:22 PM. Speaking on this item were Neil Montgomery, Senior Managing Director of Development Services and the following:

Mike Kolenovic – Napolis and Eddie's Sports Bar
Joe Thompson – Valvoline Express Care
Mike Rose
Susan Vincent – Dallas Harley Davidson
Marian Kelly – Denny's
Bob Bell – Furrs*
Paul White – Furrs*

*Did not testify registered in support of changing the regulations related to temporary special purpose signs.

There being no further speakers the public hearing was closed at 9:00 PM.

The record reflects that Councilmember Edwards left the meeting at 9:00PM.

The Council recessed at 9:01PM and reconvened at 9:20 PM

15a. Approved

Consider the application of Chester Murdock, requesting approval of a change of zoning from Commercial-2 (C-2) District to Industrial-1 (I-1) District. The property is located at 2713-2717 South Garland Avenue. (09-23)

Mayor Jones opened the public hearing at 9:20. Speaking on this item were Neil Montgomery, Senior Managing Director of Development Services, Chester Murdock, Dawn Coleman, Pat Phillips and Edwin Coleman.

Motion was made by Councilmember Willis and second by Councilmember Athas to close the public hearing at 10:05 pm and approve a Planned Development with Commercial 2 based zoning, with an additional use to allow truck and bus storage on the rear 2.3 acres only with the following conditions: the only vehicles allowed to be stored on this site are recreational vehicles, boats, landscape trucks, and equipment trailers. The trucks that will be stored must have less than four axles and the trailers must be less than 9000 lbs. 18 wheelers are expressly prohibited from being stored on the subject property. Access to the sight is prohibited between the hours of 10:00 pm and 6:00 am. Adequate screening shall be maintained at all times on property lines adjacent to residential areas.

Motion was made by Mayor Pro Tem Williams and second by Councilmember Lathen to strike adequate screening.

After additional discussion Mayor Pro Tem Williams modified his motion as follows: delete adequate screening and insert "any necessary vegetative screening to create a visual barrier". The modification was agreed to by the seconder of the motion.

The Mayor called for the vote on the amendment. Motion carried: 8 Ayes; 0 Nays; and 0 Abstentions.

The Mayor called for the vote on the main motion as amended. Motion carried: 8 Ayes; 0 Nays; and 0 Abstentions.

The Council recessed at 10:50 PM and reconvened at 11:02 PM

15b. Approved

Consider the application of Joseph Yang, requesting approval of a Specific Use Permit for Warehousing and Wholesaling on property zoned Planned Development (PD) District 03-40/41 for Commercial-2 (C-2) Uses. The property is located at 113 Casalita Drive. (File 09-24)

The Mayor opened the public hearing at 11:02 PM. Speaking on this item was Neil Montgomery, Senior Managing Director of Development Services.

Motion was made by Councilmember Cox and second by Councilmember Lathen to close the public hearing at 11:06 PM and to approve the application of Joseph Yang, requesting approval of a Specific Use Permit for 10 years for Warehousing and Wholesaling on property zoned Planned Development (PD) District 03-40/41 for Commercial-2 (C-2) Uses. Motion carried: 8 Ayes; 0 Nays; and 0 Abstentions.

15c. Approved

Consider the application of Bona Enterprises, requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District. The property is located at 1146 Belt Line Road. (File 09-25)

The Mayor opened the public hearing at 11:07 PM. Speaking on this item were Neil Montgomery, Senior Managing Director of Development Services, Johnny Na. Jim Trentham registered his support of this application.

Motion was made by Councilmember Darren Lathen and second by Mayor Pro Tem Williams to close the public hearing at 11:23 and to approve the application of Bona Enterprises, requesting approval of a Specific Use Permit for 10 years for a Reception Facility on property zoned Shopping Center (SC) District. Motion carried: 8 Ayes; 0 Nays; and 0 Abstentions.

16.

Citizen comments.

Bill Roan

There being no further business to come before the City Council, Mayor Jones adjourned the meeting at 11:29 pm.

CITY OF GARLAND

Signed:

Mayor Ronald E. Jones

Attest:

Mary J. Kayser, City Secretary