

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, May 6, 2014, in the Council Chambers at City Hall, 200 North Fifth Street, Garland, Texas, with the following members present:

Mayor	Douglas Athas
Mayor Pro Tem	Lori Barnett Dodson
Council Member	Marvin 'Tim' Campbell
Council Member	Anita Goebel
Council Member	Stephen Stanley
Council Member	B. J. Williams
Council Member	John Willis
Council Member	Scott LeMay
Council Member	Jim Cahill

STAFF PRESENT:	City Manager	William E. Dollar
	City Attorney	Brad Neighbor
	Recording Secretary	Courtney Vanover

CALL TO ORDER: The meeting was called to order by Mayor Douglas Athas. Council Member Stephen Stanley led the Invocation and the Pledge of Allegiance.

CEREMONIALS: Mayor Athas acknowledged visiting members of Boy Scout Troup 360 and the ladies of the Red Hat Society.

Elizabeth Berry provided information regarding the new Garland Community Garden located at 4022 Naaman School Road. Ms. Berry indicated additional information regarding the garden may be found by visiting [www.lovinggarlandgreen.org](http://www.lovinggarlandgreen.org). Ms. Berry presented a shovel to Council in recognition of the opening of the garden. Ms. Berry also announced that a summer solstice celebration will be held June 21 at 9:30 a.m.

ANNOUNCEMENTS: Mayor Athas commented on the following: 1) Board and commission meetings which normally meet at City Hall are relocating this month. City Council and Plan Commission meetings will relocate to the Duckworth Building in June. More details are available on the City's website and in the current issue of the Garland City Press. 2) Election Day is Saturday, May 10. Garland residents in District 5 will vote for a new council member. School board candidates are also on the ballot. City Hall is not a voting location. All residents must vote at their assigned polling location. Citizens may visit [www.dallascountyvotes.org](http://www.dallascountyvotes.org) or contact the Garland City Secretary's Office for election related information. 3) Garland Heritage Celebration will be held Saturday, May 31 at which time Garland will celebrate the

reopening of the Landmark Museum and the dedication of Heritage Crossing. For more information visit [www.garlandtx.gov](http://www.garlandtx.gov) as well as the Garland City Press. 4) Applications for the 2014-15 Garland Youth Council are now available for any Garland resident who will be in grades 9 through 12 during the 2014-15 school year. Applications are due May 16, 2014. Visit [www.GarlandYouthCouncil.org](http://www.GarlandYouthCouncil.org) to download an application packet or call 972-205-2875 for additional information.

- CONSENT AGENDA: All items marked with asterisks (\*\*) on the consent agenda were voted on at the beginning of the meeting. Mayor Athas noted that Item 2d was pulled from the Consent Agenda, as requested by Council Member Williams, for individual consideration. A motion was made by Council Member Stanley and seconded by Council Member Goebel to approve items 1; 2a; 2b; 2c; 2e; 2f; 2g; 2h; 2i; 3; 4; 5; 6; 7; and 8 as presented. The motion carried with a vote of 9 Ayes and 0 Nays.
1. APPROVED\*\* Minutes of the April 15, 2014 Regular Meeting.
  - 2a. APPROVED\*\* Bid No. 4198-14 to Infratech Corporation in the amount of \$456,941.00 with a contingency in the amount of \$50,000.00 for a total award of \$506,941 to provide labor and equipment for the construction related to the replacement of underground cable on five loops for Garland Power & Light's maintenance operations.
  - 2b. APPROVED\*\* Bid No. 4290-14 to GT Distributors in the amount of \$149,425.89 for the purchase of ammunition for the training of Garland Police Officers in the use of firearms to perform their duties.
  - 2c. APPROVED\*\* Bid No. 4261-14 to Travis Body Trailer, Inc. in the amount of \$132,580 for the purchase of two aluminum solid waste transfer trailers for use by the City of Garland Landfill.
  - 2d. PULLED Item was pulled from the Consent Agenda for individual consideration.
  - 2e. APPROVED\*\* Bid No. 4350-14 to RCC Consultants, Inc. in the amount of \$365,027.41 to provide a shared radio infrastructure for the City of Garland and the City of Mesquite.

- 2f. APPROVED\*\* Bid No. 4353-14 in the amount of \$91,400 including an optional contingency in the amount of \$9,140 for a total award of \$100,540 to Black & Veatch to provide professional engineering and design services for the Olinger-Swindell-Pruitt fiber relay upgrade.
- 2g. APPROVED\*\* Bid No. 4354-14 in the amount of \$385,825 to Mythics, Inc. for the purchase of additional licenses that are necessary to maintain compliance with Oracle's licensing requirements.
- 2h. APPROVED\*\* Bid No. 4372-14 in the amount of \$153,379 to Caldwell Country Ford and to Reliable Chevrolet in the amount of \$24,782.60 for a total award of \$178,161.60 for the purchase of six Ford Escapes, two Ford Fusions, and one Chevrolet pickup to be used by various City departments.
- 2i. APPROVED\*\* Bid No. 4375-14 in the amount of \$301,939.74 to DFW Communications, Inc. to provide the peripheral equipment, including lights, sirens, cages, and mounted consoles for the new Chevrolet Caprice police patrol vehicles.
3. APPROVED \*\* Ordinance No. 6688 amending the zoning laws of the City of Garland by approving a Detail Plan for a Bank or Financial Institution on a 1.060-acre tract of land zoned Planned Development (PD) District for Limited Shopping Center Uses located on the northeast corner of Arapaho Road and Shiloh Road. Zoning File No. 14-09, D. R. Rankin.
4. APPROVED \*\* Resolution No. 10137 authorizing the acceptance of a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) – Click It or Ticket grant in the amount of \$4,997.21.
5. APPROVED \*\* Resolution No.10138 relating to increasing the Texas Municipal Power Agency commercial paper credit facility capacity.
6. APPROVED \*\* Resolution No. 10139 approving the sale of real property, 310 Parker Drive; authorizing the Mayor to execute a deed conveying the property to Fortune Ezeoha.
7. APPROVED \*\* Resolution No. 10140 approving the sale of real property, 118 W. Marguerita Drive; authorizing the Mayor to execute a deed conveying the property to Philip Muchnick.

8. APPROVED \*\* Resolution No. 10141 adopting and authorizing an addendum to the Centerville Marketplace Repositioning Strategy contract with Ricker/Cunningham.

#### ITEMS FOR INDIVIDUAL CONSIDERATION

- 2d. APPROVED Managing Director of Parks and Recreation Jim Stone provided information to Council. Council Member Williams, seconded by Council Member Stanley, moved to approved Bid No. 4328-14 to BRW Architects in the amount of \$275,000 for professional design services for the renovation of the former Texas Air National Guard Station as part of the relocation of the Park Maintenance Operations Division. The motion carried with 9 ayes, 0 nays.

9. APPROVED Director of Planning Anita Russelmann provided background information to staff relating to the request by Apollo Beer & Wine, Inc. to reconsider approval of a Specific Use Permit for a Convenience Store on property zoned Planned Development (PD) District 87-15 for General Business Uses and in the SH-190 Overlay. This property is located at 7602 North Jupiter Road, Suite 200. Zoning File No. 14-06. Gunjan Tanna and Hank Gaines spoke on behalf of the applicant. Discussion was held among Council Members. Council Member Williams made a motion, seconded by Council Member Stanley, to approve the request for reconsideration of a Specific Use Permit. A vote was cast and the motion carried with 6 Ayes and 3 Nays. (Campbell, Willis and Cahill)

- 10a. APPROVED Director of Planning Anita Russelmann presented the staff report relating to the application of Jaime Pineda requesting approval of a Specific Use Permit for Contractor Equipment and Storage on property zoned Commercial 2 (C-2) District. The property is located at 200 Rayburn Street. Zoning File No. 14-10, District 2.

Mayor Athas opened the public hearing to accept comment. The applicant was not present and there were no speakers on this item. Council Member Goebel made a motion, seconded by Mayor Pro Tem Dodson, to close the public hearing and to approve the application. A vote was cast and the motion carried with 9 Ayes and 0 Nays.

10b. APPROVED

Director of Planning Anita Russelmann presented the staff report relating to the application of Masterplan requesting approval of 1) a change of zoning from Planned Development (PD) District 95-42 and Planned Development (PD) District 06-38, both for General Business Uses, to a Planned Development (PD) District for Limited General Business Uses and Self-Storage Units, 2) a Detail Plan for Self-Storage Units, and 3) a variance to Section 25-500 of the Zoning Ordinance regarding lot coverage. The property is located on the south side of Broadway Boulevard, approximately 500 linear feet southeast from the intersection of Colonel Drive and Broadway Boulevard; Zoning File No. 14-04, District 4.

Mayor Athas opened the public hearing to allow comment. The following persons spoke during the public hearing: Dallas Cothrum representing the applicant and Jim Medley spoke in favor of the request. Andy Cummings and Larry Newman spoke against the request. Mayor Athas stated for the record that David Jenkins submitted an email to the Planning Department in favor of the request. Discussion was held among Council Members. Council Member Williams made a motion, seconded by Council Member Wills, to close the public hearing and to approve the request. A vote was cast and the motion to approve carried with 9 Ayes and 0 Nays.

10c. APPROVED

Director of Planning Anita Russelmann presented the staffreport relating to the application of Merriwood Ranch requesting approval of 1) amendments to Planned Development Districts (04-10 and 02-03) for Single Family Uses, Design Center, Stables and Barns and 2) a Detail Plan for a Riding Academy/Stables and Day Camp. This property is located southeast of the intersection of East Miller Road and East Centerville Road. Zoning File No. 4-11, District 3.

Mayor Athas opened the public hearing and the following persons spoke: Applicant Tracy Evans and Robert Whitworth spoke in favor of the request. Discussion was held among Council Members. Council Member Stanley made a motion, seconded by Council Member Goebel, to close the public hearing and to approve the request. A vote was cast and the motion to approve carried with 9 Ayes and 0 Nays.

10d. APPROVED

Mayor Athas recused himself from Item 10d and Mayor ProTem Dodson presided. Director of Planning Anita Russelmann presented the staff report relating to the application of Capital Telecom requesting approval of 1) a Specific Use Permit for an Antenna, Commercial Type 2 on property zoned Planned Development (PD) District 97-23 for Shopping Center Uses and in the SH-190 Overlay and 2) variances to Sections 10-306.4(C) and 24-432 of the Zoning Ordinances regarding the minimum required distance between two cell towers and the minimum required setback from the public right-of-way. The property is located at 3261 North President George Bush Highway. Zoning File No. 14-12, District 1.

Mayor Pro Tem Dodson opened the public hearing to allow comment. The following person spoke during the public hearing: Bebb Francis, the applicant. Discussion was held among council members. Council Member Campbell made a motion, seconded by Council Member Stanley, to close the public hearing and to approve the request. A vote was cast and the motion to approve carried with 7 Ayes and 1 Nay (Willis). Mayor Athas rejoined the meeting.

10e. APPROVED

Director of Planning Anita Russelmann presented the staff report relating to the application for Alloy Right Recyclers requesting approval of a Specific Use Permit for a Recycling Center on property zoned Industrial (I-1) District. The property is located at 828 East Walnut Street. Zoning File No. 14-13, District 2.

Mayor Athas opened the public hearing to invite comment. The following person spoke during the public hearing: Applicant Alfonso Vasquez. Discussion was held among Council Members. Council Member Goebel, seconded by Mayor Pro Tem Dodson, made a motion to close the public hearing and to deny the request. A vote was cast and the motion to deny failed with 3 Ayes and 6 Nays (Athas, Campbell, Stanley, Williams, Willis and Cahill). Additional discussion was held. Council Member Willis made a motion, seconded by Council Member Cahill, to approve the application for the Specific Use Permit. A vote was cast and the motion to approve carried with 6 Ayes and 3 Nays (Dodson, Goebel and LeMay).

10f. APPROVED

Director of Planning Anita Russelmann presented the staff report relating to the application of Spiars Engineering Inc. requesting approval of an amended Detail Plan and Specific Use Permit for Retail Sales with Gas Pumps on property zoned Planned Development (PD) District 13-32 for Freeway Uses. The property is located at 6421 Broadway Boulevard. Zoning File No. 14-14, District 4.

Mayor Athas opened the public hearing. The following person spoke during the public hearing: Applicant Dallas Cothrum. Discussion was held among Council Members. Council Member Williams made a motion, seconded by Council Member Stanley, to close the public hearing and to approve the request. A vote was cast and the motion to approve carried with 9 Ayes and 0 Nays.

10g. APPROVED

Director of Planning Anita Russelmann presented the staff report relating to the application of Indoor Soccer Zone requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District. The property is located at 3265 Broadway Boulevard, Suite 101. Zoning File No. 14-15, District 4.

Mayor Athas opened the public hearing. The following person spoke: Arleen Macias, the applicant. Discussion was held among council members. Council Member Williams made a motion, seconded by Mayor Pro Tem Dodson, to close the public hearing and to approve the request. A vote was cast and the motion to approve carried with 9 Ayes and 0 Nays.

10h. POSTPONED

Director of Planning Anita Russelmann presented the staff report related to the application of Firewheel Senior Living Center LLC requesting approval of 1) a change of zoning from Agriculture (AG) District to a Planned Development (PD) District for Multifamily Uses on property in the SH-190 Overlay 2) a Detail Plan for an Assisted Living Facility, and 3) a Specific Use Permit for Assisted Living Facility. The property is located on the north side of West Campbell Road, approximately 500 feet west of the Intersection of West Campbell Road and Holford Road, between 1401 and 1601 Campbell Road. Zoning File No. 14-16, District 1.

Mayor Athas opened the public hearing. The following persons spoke: Vinay Sedey and Shaye Donica, both representing the applicant; Cindi Hatton submitted a speaker card representing the applicant but did not speak; Karen Wilson submitted a speaker card in favor of the item. Discussion was held among council members and planning staff (Neil Montgomery and Anita Russelmann). Due to the variance request not being advertised in accordance with the Open Meetings Act, Council Member Campbell made a motion, seconded by Council Member Williams, to postpone this item until June 3, 2014. A vote was cast and the motion to postpone carried with 9 Ayes and 0 Nays.

11. COMMENTS: The following persons spoke: Sue Watson; Mary Wickersham, and Marsha Hubbell.

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 11:10 p.m.

**CITY OF GARLAND**

Signed:

Douglas Athas, Mayor

ATTEST:

Lisa Palomba, City Secretary