

The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Tuesday, January 17, 2012, in the Council Chambers at City Hall with the following members present:

Mayor	Ronald E. Jones
Mayor Pro Tem	Preston Edwards
Councilmember	Douglas Athas
Councilmember	Laura Perkins Cox
Councilmember	Larry Jeffus
Councilmember	John Willis
Councilmember	Lori Barnett Dodson
Councilmember	Rick Williams
Councilmember	Jim Cahill

STAFF PRESENT:	City Manager	William E. 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 Cahill led the invocation and the pledge.

CEREMONIALS: Mayor Jones presented a Special Recognition to Suzanne Cook, owner of Suzy's Quilt Shop.

Mayor Jones presented the Mayor's Good Neighbor Award to John W. Six, CPA.

The Mayor recognized Youth Leadership Garland Class 8.

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 Cahill, and second by Councilmember Cox to approve Consent Agenda Item #'s: 1, 2a, 2b, 2c, 2d, 3, 4, 5, 6, 7 and 8. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

1. Approved\*\* Approve the minutes of the January 3, 2012 Regular Meeting.

2a. Approved

Construction Manager at Risk      Bid No. 1972-11  
Wallace and Lavon Pump Station Rehabilitations

Harrison, Walker and Harper, LP	\$6,853,239.00
Contingency	<u>400,000.00</u>
TOTAL	<u>\$7,253,239.00</u>

This request is for construction manager at risk for the Wallace and Lavon Pump Station rehabilitations.

Speaking on this item were John Baker, Managing Director of Water and Wastewater Utilities.

Award the bid for Construction Manager at Risk for the Wallace and Lavon Pump Station Rehabilitations (Bid No. 1972-11) to Harrison, Walker and Harper, LP in the amount of \$6,853,239.00 and a Contingency of \$400,000.00 for a total award of \$7,253,239.00.

2b. Approved\*\*

Award the bid for Water Meters for Warehouse Inventory (Bid No. 2668-12) to Badger Meter, Inc. in the amount of \$378,827.00.

2c. Approved\*\*

Award the bid for Underground Cable Replacement – 5 Loops (Bid No. 2671-12) to the Fishel Company in the amount of \$425,816.14 and a Contingency of \$50,000.00 for a total of \$475,816.14.

2d. Approved\*\*

Award the bid for Underground Line Locating Services (Bid No. 2681-12) to USIC Locating Services, Inc. in the amount of \$200,000.00.

3. Approved\*\*

Ordinance 6511 amending the zoning laws of the City of Garland by approving a Specific Use Permit for Automobile Repair, Minor on property zoned Shopping Center District on a 2.89-acre tract of land located at 1750 Northwest Highway, Suite 250B. (Zoning File No. 11-34, Audio Zone)

4. Approved\*\*  
Minute action authorizing the City Manager to execute a contract with RJN Group in an estimated amount of \$414,155 for the design of Section I of the West Pressure Plane Improvements 24” Pipeline. The limits of Section I are from the Wallace Pump Station (just west of Wallace Drive and Dairy Road) to the intersection of Fifth Street and Ridgedale Drive evaluating three possible routes previously determined in an initial alignment study.
5. Approved\*\*  
Minute action authorizing the City Manager to execute a contract with R-Delta Engineers, Inc. in an estimated amount of \$308,400 for the design of Section II of the West Pressure Plane Improvements 24” Pipeline. The limits of Section II are from the intersection of Fifth Street and Ridgedale Drive to the intersection of Kingsley Road and Old Orchard Road.
6. Approved\*\*  
Minute action authorizing the City Manager to execute a contract with Freese and Nichols, Inc. in an estimated amount of \$279,360 for the design of Section III of the West Pressure Plane Improvements 24” Pipeline. The limits of Section III are from the intersection of Kingsley Road and Old Orchard Road to the intersection of Leon Road and McCree Road.
7. Approved\*\*  
Resolution 10025 authorizing the City Manager to execute Change Order No. 1 with Regenco for a declared emergency on unforeseen damage to the ROP Unit #2 Generator Field.
8. Approved\*\*  
Resolution 10026 appointing Elaine Simpson as the interim City Secretary effective January 30, 2012.
9. Withdrawn  
Consider by minute action authorizing the City Manager to execute a consulting agreement with Ray Schwertner.
10. Presented  
Presentation of the 2012 Proposed Capital Improvement Program.  
  
City Manager William E. Dollar presented the 2012 Proposed Capital Improvement Program.

11. Approved

Hold a public hearing on the following zoning case:

Consider the application of Onyx Builders, requesting approval of 1) a change of zoning from Planned Development (PD) District 05-55 for Single Family, Attached Uses (Townhouses) to a Planned Development (PD) District for Single Family Uses, 2) a Detail Plan for 63 single family residences, and 3) a waiver of Section 31.27 of the City of Garland Code of Ordinances regarding the requirement of alleys. The property is located north of the intersection of Roan Road and Rowlett Road. (File 11-31)

The proposal is for approval of 1) a change of zoning from a Planned Development for Single Family Attached Uses to a Planned Development for Single Family, 2) a Detail Plan for 63 single family residences, and 3) a waiver regarding the requirement of alleys. At the October 24, 2011 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the request.

Neil Montgomery, Senior Managing Director of Development Services presented the staff report.

Mayor Jones opened the public hearing at 7:20 PM.

Speaking on this item were Jim Douglas, Steve Gee and Donny Evans all representing the developer.

Winfred Marler spoke in favor of the development but in opposition to the lot sizes.

Mary A. Freeman spoke against the development.

Louise Blackburn spoke against the development.

David L. Dyer and Mary Dyer registered a position against this item.

The developer offered rebuttal at this time.

Motion was made by Mayor Pro Tem Edwards and second by Councilmember Dodson to close the public hearing at 8:18 pm and to approve the application of Onyx Builders, requesting approval of 1) a change of zoning from Planned Development (PD) District 05-55 for Single Family, Attached Uses (Townhouses) to a Planned Development (PD) District for Single Family Uses, 2) a Detail Plan for 63 single family residences, 3) a waiver of Section 31.27 of the City of Garland

Code of Ordinances regarding the requirement of alleys 4) the unit sizes to be as follows : 25% minimum of 1800 Square feet; 25% to be a minimum of 2000 square feet; 25% to be a minimum of 2200 square feet and 25% to be a minimum of 2400 square feet and 5) 5-foot tall ornamental metal fence with masonry columns and a continuous row of evergreen vegetation along Roan Road adjacent to Lots 1, 5 and 42-45, Block 1. From this point towards the intersection with Rowlett Road and for the frontage along Rowlett Road a 6-foot masonry wall.

Motion was made by Councilmember Williams and second by Councilmember Cahill to amend the main motion in #4 to state 63 single family residences with a minimum unit size of 1800 square feet.

Motion failed: 3 Ayes; 6 Nays (Athas, Edwards, Jeffus, Willis, Jones and Dodson); and 0 Abstentions.

Motion was made by Councilmember Cahill and second by Councilmember Williams to amend the motion to state 63 single family residences with an average unit size of no less than 2000 square feet and a minimum of 1800 square feet.

Motion failed: 4 Ayes; 5 Nays (Athas, Edwards, Jeffus, Jones and Dodson); and 0 Abstentions.

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

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

12. Motion was made by Mayor Jones to appoint the following individual(s) to the listed board(s):

Linda Rutherford – Community Multicultural Commission

Motion was made by Councilmember Willis to appoint the following individual(s) to the listed board(s):

Eula Axe – Senior Citizens Advisory Committee

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

At this time Mayor Pro Tem Edwards returned the meeting to Mayor Jones.

13. Citizen comments.

Alison Marie Lewis  
Sandra Brown

There being no further business to come before the City Council, Mayor Jones adjourned the meeting at 9:08 pm.

CITY OF GARLAND

Signed:

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Mayor Ronald E. Jones

Attest:

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Elaine Simpson, Interim City Secretary