

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

Mayor	Ronald E. Jones
Mayor Pro Tem	Preston Edwards
Councilmember	Anita Goebel
Councilmember	Marvin 'Tim' Campbell
Councilmember	John Willis
Councilmember	Lori Barnett Dodson
Councilmember	Rick Williams
Councilmember	B.J. Williams

COUNCIL ABSENT: Councilmember Jim Cahill

STAFF PRESENT:	City Manager	William E. Dollar
	City Attorney	Brad Neighbor
	Interim City Secretary	Elaine Simpson
	Recording Secretary	Yvonne Naser

CALL TO ORDER: The meeting was called to order by Mayor Ronald E. Jones. MPT Preston Edwards led the invocation and the pledge of allegiance.

CEREMONIAL: The Mayor issued a Proclamation for Senior Awareness Day in Garland, and introduced Jerry Nichols, Chair of Senior Awareness Day Committee. Senior Awareness Day will be held Saturday, August 4, 2012 at the Atrium and is hosted by State Representative Angie Chen Button with assistance from the City of Garland and the Dallas Area Agency on Aging.

CONSENT AGENDA: All items marked with asterisks (**) on the Consent Agenda were voted on at the beginning of the meeting. Motion was made by MPT Edwards and second by Councilman Campbell to approve items 1, 2.a., 2.b., 3.a., 3.b., 3.c., 3.d., 3.e., and 4.

Motion carried unanimously: 8 Ayes; 0 Nays; and 0 Abstentions.

1. Approved ** Consider approval of the minutes of the July 3, 2012 Regular Meeting.

- 2.a. Approved ** Bid No. 2963-12 -Northwest Highway 15 kV Pole Relocation to The Fishel Company in the amount of \$440,403.00 with a contingency of \$86,000.00 for a total of \$526,403.00. This request is for labor and equipment necessary to remove an existing wood pole line and install a new steel pole line for Northwest Highway from La Prada Drive to Centerville Road. Due to the complexity of the project, an optional contingency has been included for unforeseen additional work that may be required.

- 2.b. Approved ** Bid No. 2976-12 - Concrete Ready Mix awarded to Cooper Concrete Co. in the amount of \$1,710,975.00 for the purchase and delivery of various types of concrete ready mix to construction job sites for the Street Department.

- 3.a. Approved ** Ordinance # 6554 (Zoning File No. 12-26, applicant; Heights Venture Architects) amending the zoning laws of the City of Garland by approving an amended Specific Use Permit for Restaurant with Drive-through on property zoned Freeway (FW) District within the IH 30 Overlay on a 1.202-acre tract located at 501 West Interstate Highway 30 (Wendy's Restaurant).

- 3.b. Approved ** Ordinance # 6555 (Zoning File No. 12-28, applicant; RaceTrac) amending the zoning laws of the City of Garland by approving an amendment to Planned Development (PD) District 11-04 for Shopping Center Uses regarding landscape buffer requirements on a 6.6-acre tract of land located west of Garland Avenue, east of Shiloh Road and north of McCree Road.

- 3.c. Approved **
Ordinance # 6556 (Zoning File No. 12-29, applicant; Pink Consulting) amending the zoning laws of the City of Garland by approving an amended Specific Use Permit for Restaurant with Drive-through on property zoned Freeway (FW) District within the IH 30 Overlay on a 1.007-acre tract located at 509 West Interstate Highway 30 (McDonald's Restaurant).
- 3.d. Approved **
Ordinance #6557 (Zoning File No. 12-30, applicant; TW Towing Company) amending the zoning laws of the City of Garland by approving a Specific Use Permit for Vehicle Pound on property zoned Industrial 1 (I-1) District on a .493-acre tract located at 3806 Dividend Drive.
- 3.e. Approved **
Ordinance #6558 (Zoning File No. 12-31, applicant; Harrison French & Associates) amending the zoning laws of the City of Garland by approving a Specific Use Permit for Retail Sales with Gasoline Pumps on property zoned Shopping Center (SC) District on a .55-acre tract located at 1426 Belt Line Road (7-Eleven store).
4. Approved **
Ordinance #6559, amending Chapter 21, "Fire Prevention and Protection," of the Code of Ordinances of the City of Garland. At the July 2, 2012 Work Session, Council considered an ordinance amending the emergency medical service transfer and mileage charges listed in Section 21.26 of Chapter 21, "Fire Prevention and Protection," of the Code of Ordinances. This amendment is needed to correct Ordinance 6497 that was approved on November 1, 2011 which reflected incorrect amounts for transfer and mileage charges.

ITEMS FOR INDIVIDUAL CONSIDERATION

5. Appointed

Consider the appointment of a Mayor Pro Tem and Deputy Mayor Pro Tem. Council is requested to appoint a Mayor Pro Tem from among its members. In accordance with City Council Policy OPNS-30, "Who Shall Act As Mayor," Council may also appoint a Deputy Mayor Pro Tem at its discretion.

Mayor Jones called for nominations for Mayor Pro Tem:

Councilman Rick Williams nominated Councilman Willis to serve as Mayor Pro Tem for 2012-13. There were no other nominations from the floor. Councilman Willis was appointed unanimously by a vote of 8 Ayes, 0 Nays and 0 Abstentions.

Mayor Jones called for nominations for Deputy Mayor Pro Tem:

Councilman Rick Williams nominated Councilman Edwards to serve as Deputy Mayor Pro Tem for 2012-13. There were no other nominations from the floor. Councilman Edwards was appointed unanimously by a vote of 8 Ayes, 0 Nays and 0 Abstentions.

6. Held and Approved

Hold a public hearing and consider application of Golden Chick, requesting approval of a Specific Use Permit for Restaurant with Drive-through on property zoned General Business (GB) District. The property is located at 3330 Broadway Boulevard. (Zoning File #12-32 – City Council District 4). The proposal is for approval of a Specific Use Permit for a Golden Chick Restaurant on property zoned General Business (GB). At the June 25, 2012 meeting, the Plan Commission (by a 7 to 0 vote) recommended approval of the Specific Use Permit for a Restaurant with Drive-through for a period of 25 years tied to Golden Chick as recommended by staff.

Neil Montgomery, Senior Managing Director of Development Services, presented the staff report explaining that this request was recommended unanimously for approval by the Plan Commission and staff as this restaurant is in character with the surrounding area, and is locating in a building that was formerly a Schlotzsky's restaurant and prior to that time was a Braums restaurant. The building has been vacant for some time and is somewhat deteriorated. The applicant proposes to renovate and to improve the site.

Mayor opens the public hearing at 7:15 p.m.

Joseph Omobogie, 410 Kiest Blvd, Dallas; applicant: explained that this will be his first restaurant in Garland. He explained that there are about forty of these Golden Chick restaurants in Texas. There is one on Forest Lane in Dallas that has been operating about fourteen years and one in Mesquite that has been operating about five years.

Councilman B.J. Williams made a motion, seconded by Deputy Mayor Pro Tem Preston Edwards, to close the public hearing at 7:18 p.m. and to accept staff recommendation and grant a Specific Use Permit for Restaurant with Drive-through on property zoned General Business (GB) District at 3330 Broadway Boulevard as recommended by the Planning Commission, for 25 years, tied to Golden Chick.

Motion carried unanimously by a vote of 8 Ayes; 0 Nays; 0 Abstentions.

7. Appointed

Consider appointments to Boards and Commissions.

Mayor Jones relinquished the chair duties to Mayor Pro Tem Willis in order to make an appointment.

Mayor nominated Morgan Manning to the Garland Youth Council. Appointment carried by a unanimous vote of 8 Ayes; 0 Nays; and 0 Abstentions.

MPT Willis then entertained a motion to appoint the following members as a slate:

- Lauren Purser to the Garland Youth Council appointed by Councilman Campbell.
- Stephanie Samuel and Diego Valderrama to the Garland Youth Council appointed by Councilwoman Goebel.

Motion to appoint the slate of nominees carried unanimously by a vote of 8 Ayes; 0 Nays; 0 Abstentions.

Mayor Pro Tem Willis returned the chair back to Mayor Jones.

8. Citizen comments.

There were no citizen comments.

9. Adjourn.

There being no further business to come before the City Council, Mayor Jones adjourned the meeting at 7:20 p.m.

CITY OF GARLAND

Signed:

Mayor Ronald E. Jones

Attest:

Elaine Simpson, Interim City Secretary