



Minutes - Final
City Council

Tuesday, August 18, 2015

4:30 PM

City Hall - Briefing Room
317 College Street

Call to Order

Mayor Jensen called the meeting to order at 4:30 p.m.

Present 9 - Mayor Ron Jensen
Mayor Pro Tem Jim Swafford
Deputy Mayor Pro Tem Jorja Clemson
Council Member Jeff Copeland
Council Member Richard Fregoe
Council Member Greg Giessner
Council Member Tony Shotwell
Council Member Lila Thorn
Council Member Jeff Wooldridge

Staff Presentations

1 Police Online Services - SunGard Police to Citizen (P2C) - Presented by GPPD Technology Team

Teresa Coomes, Support Services Manager, presented the online reporting software and the available information which citizens can find online. The system is now active on the city website. Ms. Coomes said some of the offenses which citizens can report include burglary of a motor vehicle; vandalism; harassing phone calls; theft and lost property. The security registration allows citizens to register if they will be on vacation and initiates a "close patrol." She said that online commendations can also be made by citizens.

Council Member Copeland asked how long it would take to find out why a police car might be in someone's neighborhood. Keshnel Penny, Public Safety IT, said there is a 24-hour delay for officer safety purposes.

Presented

2 Private Properties Reporting Flood Damages May 2015 Storms - Presented by Romin Khavari, City Engineer and Stephanie Griffin, Flood Plain Administrator

Romin Khavari, City Engineer, stated that the Corps of Engineers is releasing water from Joe Pool Lake and believes the lake will be at optimum level in mid-September.

Stephanie Griffin, Floodplain Administrator, went through the timeline for rainfall during the month of May. She said staff visited flood damaged homes and the Stormwater staff worked with the Emergency Management Office and the Street

Department throughout May and June. There were 25 properties that reported flooding with typical damage consisting of wet carpet and baseboards and some sheetrock with estimated damages at \$196,000. Ms. Griffin said the Willow Bend Mobile Home Park and Fox Hollow Apartments were evacuated.

Mr. Khavari said this flooding was a 2-5 year storm, but Joe Pool Lake has never been this high. He said flood damage issues must be distinguished as public vs. private responsibility. Mr. Khavari said staff has requested \$125,000 in the FY 2016 budget to investigate and design potential solutions to public system failures (streets; alleys; storm systems). Mr. Khavari said there was a FEMA site visit in June and staff is assisting with the development of potential grant applications. He said that staff will be presenting an update to Council with the focus on public participation.

City Manager Tom Hart expressed pride in city staff for their response during the flooding. The public vs. private issue has been discussed over the past several years and there has been a tremendous investment in drainage infrastructure and making sure what is being built today will not negatively impact drainage in the future. Deputy Mayor Pro Tem Clemson stated that nearly half of flooded homes were in District One and she received a lot of good responses from those homeowners. Council Member Shotwell asked if staff had any pictures of the flooding at the mobile home park. Bill Crolley, Executive Director, said they do have some but the water was not as high as in the past. Council Member Shotwell replied those pictures may be needed for FEMA documentation. Mr. Hart said there were some pre-releases out of Mountain Creek to make sure there was not a problem in this area. Council Member Copeland said when he purchased his home it was not in a floodplain but now it is in a floodplain because of the development around him. Mr. Hart said with all the work that has been done, no development is able to be built at optimum buildout. He added it could be the development in Arlington that caused Mr. Copeland's problem. Mr. Khavari said the City Council has been proactive and the FEMA program is based on existing conditions, not ultimate conditions and maps that were drawn were based on that information. Mr. Khavari said through these studies they have found out what ultimate development will be. Mr. Hart said if a development upstream is causing a problem downstream that is a public issue. He said the city has houses on creeks, but then there might be eroding and a big river, and that may be a private issue and the city would not fix the house, but would fix the issue that caused the problem. Mayor Pro Tem Swafford asked what was happening downstream when water is let out of Joe Pool Lake. Mr. Khavari said Mountain Creek Lake is a pass through and it will not flood the mobile home park. Council Member Wooldridge said the flooding problem at Carrier and I-20 is an issue and would that be resolved when the service roads are constructed. Mr. Khavari said this has always been a maintenance issue with TXDOT because of all the upstream flow. The cost of estimated repair is \$25 million.

Presented

Agenda Review

Mr. Hart asked Council to table Item 12 (Administrative Adjudication of Parking Violations). Mayor Jensen said that the Main Street business owners say that on Uptown event days the patrons take up all the parking on Main Street. They would like to have one-hour parking on Main Street east of the Uptown. Mr. Hart said he had learned from Legal and the Police Department there are issues that need to be discussed. Council Member Shotwell said this needs to be done correctly.

Executive Session

Mayor Jensen convened a closed session at 5:16 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., to discuss Section 551.071 "Consultation with Attorney" City vs. Wild Horse Trust; Grand Prairie Professional Baseball, LP v. City of Grand Prairie; Section 551.072 "Deliberation Regarding Real Property" and Section 551.087 "Deliberations Regarding Economic Development Negotiations." Mayor Jensen adjourned the closed session at 6:20 p.m.

Recess Meeting

Mayor Jensen recessed the meeting at 6:20 p.m.

6:30 PM Council Chambers

Mayor Jensen reconvened the meeting at 6:30 p.m.

Pastor William Horton, Lighthouse Deliverance C.O.G.I.C., gave the invocation. The Pledge of Allegiance to US Flag and to the Texas Flag were led by Council Member Tony Shotwell.

Presentations

- 3** Recognition of Erin Whitlock, Kelly Eddlemon, Danny Boykin, Duane Strawn, and Brandon Huether - Presented by Rick Herold, Director, Parks and Recreation Department
- Duane Strawn, Parks Department, introduced Danny Boykin, Erin Whitlock, Kelly Eddlemon and Brandon Huether. These individuals were recognized for their efforts with the Main Street Festival and for the several State awards they received for the event.*
- Presented**
- 4** Recognition of GPPD Police Explorers Program - Presented by Police Chief Steve Dye and Deputy Police Chief Ronnie Morris
- Chief Steve Dye and Deputy Chief Ronnie Morris recognized members of the Grand Prairie Police Department Explorers, Post 760.*
- Presented**
- 5** Recognition of Jasmine Moore, Junior Olympics Champion
- Ms. Jasmine Moore was presented with a proclamation for her outstanding performance in the Junior Olympics.*
- Presented**

Consent Agenda

Mayor Pro Tem Swafford moved, seconded by Deputy Mayor Pro Tem Clemson, to approve Items 6 through 11, table Item 12, and approve Item 13 on the Consent Agenda. The motion carried unanimously.

- 6** Minutes of the July 21, 2015 Special Meeting and the August 4, 2015 Regular Meeting

Approved on the Consent Agenda

- 7** Price agreement for repairs and replacement of roofing materials with Garland/DBS, Inc through a national inter-local agreement with US Communities at an estimated annual cost of \$700,000 for this one-year term agreement with the option to renew for an additional one-year period totaling \$1,400,000 if the extension is exercised, and authorize the City Manager to execute the renewal option with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms

Approved on the Consent Agenda

- 8** Price Agreement for Network Cabling and Installation Services from N Sync Services, Inc. for one year in the amount of \$20,000 annually with the option to renew for four additional one year periods totaling \$100,000 if all extensions are exercised, and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms

Approved on the Consent Agenda

- 9** Award bid for the replacement of one manufactured housing unit as part of the CDBG Rehabilitation-Reconstruction Program to Clayton Homes in the amount of \$55,850

Approved on the Consent Agenda

- 10** Resolution granting a 380 Incentive Agreement for 303 Grand Prairie II Ltd. in the amount of \$250,000

Adopted

Enactment No: RES 4768-2015

- 11** Purchase of Security Equipment from Knight Security in the amount of \$137,179.92

Approved on the Consent Agenda

- 12** An ordinance amending Chapter 25, "TRAFFIC" of the Code of Ordinance by the addition of Article VII, Administrative Adjudication of Parking Violations, by creating a civil penalty for certain parking offenses, providing a fine of \$75 for each offense in violation of the ordinance

Don Postell, City Attorney, read into the record those who submitted speaker cards in support of this item:

Debra Mitchell, 110 E. Main, #102; Andrew Gotte, 19100 LA Lane; Victoriaq Swartzwezder, 3509 Kirby Creek Drive; Wayne Ellis, 112 E. Main; and Race Mitchell, 110 E. Main #102.

Tabled

- 13** Ordinance amending the FY 2014/2015 Capital Improvement Projects Budget; Construction contract with Gra-Tex Utilities, Inc. in the amount of \$2,436,801 for Miscellaneous Water Replacements at various locations throughout the city; Material testing with Reed Engineering in the amount of \$60,921; 5% contract contingency in the amount of \$121,841; In-house engineering in the amount of \$121,841 for a total project cost of \$2,741,404

Adopted

Enactment No: ORD 9899-2015

Public Hearing Consent Agenda

Mayor Pro Tem Swafford moved, seconded by Council Member Shotwell, to table Items 14 and 15 on the Public Hearing Consent Agenda. The motion carried unanimously.

- 14** SU141101/S141101 - Specific Use Permit/Site Plan - 1629 E Main Street (City Council District 5). Consider approval of a Specific Use Permit for Automotive Re-Builder and Inoperable Auto Holding Yard uses in a Light Industrial (LI) District. The subject site is located at 1629 E Main St and is located within the Central Area Overlay District, Central Business District No. 2 (CBD 2). This property is generally located on the south side of E. Main St and east of S.E. 16th St. The agent is Danny Moussavi and the owner is Hamid Moussavi.

City Council Action: September 15, 2015

Tabled

- 15** Z150702/CP150701 - Zoning Change/Concept Plan - Lake Ridge Mixed-Use Development (City Council District 6). Consider a request to amend the Planned Development-297A (PD-297A) District concept plan. The 16.57-acre property, located at 7500 Lake Ridge Parkway, is zoned PD-297A and is within the Lake Ridge Corridor Overlay District. The agent is Rob Baldwin, Baldwin Associates, the applicant is Richard LeBlanc, Mozley Acquisition & Development, and the owner is Dennis Davis, Tenairs Partners LTD.

City Council Action: September 15, 2015**Tabled****Public Hearing on Zoning Applications****16**

S141103 - Site Plan - Stripe-A-Zone (City Council District 1). Approval of a Site Plan for the expansion of an existing Contractor Shop with Heavy Equipment and Outside Storage on 7.1048 acres. The subject property, zoned Commercial Office (CO) District and within Central Business District No. 1, is generally located south of E. Abram Street and west of Cox Street. The agent is Walter Nelson and the owner is David Sargent, Strip-A-Zone. (On August 3, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0.)

Jim Hinderaker, Chief City Planner, reviewed Case S141103 and stated that agenda Item 22, a street right-of-way abandonment of a portion of Hines, was connected to this case. Mr. Hinderaker said this striping company wants to expand north of their existing facility and will add 99 parking spaces and a building to store specialized equipment. The applicant has also requested an abandonment of a portion of Hines to expand. Staff wants to maintain the emergency access to the adjacent apartment complexes (one in Grand Prairie and one in Arlington) that have second accesses off Hines Avenue. The gate will have a Knox box. Mr. Hinderaker said there is a deviation from the concept plan because the project will be in two phases. The second phase will come back as a separate site plan. The applicant plans a masonry wall on Abram and a wrought iron fence on the east and west side which matches the existing fencing on the south side of the property. Mr. Hinderaker said there were no appeals.

Walter Nelson, 3012 Hobble Court, agent for this case, was present to answer questions.

Council Member Giessner said this case was in conjunction with Item 22, abandonment for a portion of Hines and asked where the Knox box would be located at the apartment to the west. Mr. Hinderaker said there would be an access at the corner of Hines and Cox Drive and a second one to the east.

Deputy Mayor Pro Tem Clemson moved, seconded by Council Member Woolderidge, to close the public hearing and approve Case S141103. The motion carried unanimously.

Ayes: 9 - Mayor Ron Jensen; Mayor Pro Tem Jim Swafford; Deputy Mayor Pro Tem Jorja Clemson; Council Member Jeff Copeland; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Tony Shotwell; Council Member Lila Thorn and Council Member Jeff Wooldridge

17

SU150802 - Specific Use Permit - 3015 Eagle Drive, Suite 400 and 600 (City Council District 2). Approval of a Specific Use Permit for an auto body and paint shop. The property is addressed as 3015 Eagle Dr and is zoned Light Industrial (LI) District. Applicant is Halid Amer and the owner is Yan Wu. (On August 3, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0.)

Mr. Hinderaker reviewed Case SU150802 and said the applicant would be occupying

Suites 400 and 600 for an autobody and paint shop. He said staff had one issue and that would be parking. He said the existing building was built primarily for warehouse purposes and there are currently 11 spaces available for this business, but 20 spaces are required. The applicant is proposing to park five vehicles inside, leaving the site four spaces short.. Mr. Hinderaker stated there were several stipulations within the ordinance.

Halid Amer, 3015 Eagle Drive, was present to answer questions if needed.

Mayor Pro Tem Swafford moved, seconded by Council Member Fregoe, to close the public hearing and approve Case SU150802 as recommended by staff. The motion carried unanimously.

Ayes: 9 - Mayor Ron Jensen; Mayor Pro Tem Jim Swafford; Deputy Mayor Pro Tem Jorja Clemson; Council Member Jeff Copeland; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Tony Shotwell; Council Member Lila Thorn and Council Member Jeff Wooldridge

Enactment No: ORD 9900-2015

18

SU150803 - Specific Use Permit - 3223 E Main Street (City Council District 5). Approval of a Specific Use Permit for Truck/Heavy Equipment Parking. The property is zoned Light Industrial (LI) within Central Business District 4 (CBD 4) and is addressed 3223 E Main St. The applicant is Steve Keeton, Keeton Surveying and the owner is Gerardo Rodriguez. (On August 3, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0.)

Mr. Hinderaker reviewed Case SU150803 and stated much of the area is not paved. The area is to be used for truck/heavy equipment parking. Mr. Hinderaker said that 25 parking spaces were required and staff has concerns about it turning into a truck stop. He said the proposed ordinance is very specific about uses. There is to be no sleeping in trucks; no maintenance or repairs; and they must provide a dumpster. The UDC requires a 6' chain link fence and they have an existing masonry fence. They must provide lighting and either concrete paving or an alternative paving material approved by the City Engineer. Mr. Hinderaker said the Planning and Zoning Commission had the following recommendations: a right turn only sign be posted with right turn onto E. Main; placing a fire hydrant on the south side of E. Main; ensure paving is free of dirt and debris. He said with those stipulations, staff recommended approval.

Council Member Copeland said he had a concern with repair and maintenance. Mr. Hinderaker said staff was also concerned about these issues and the ordinance is drafted with those stipulations. He added there would be a follow-up review in a year. Council Member Giessner asked about enforcement measures and who would be doing those checks. Mr. Hinderaker said that falls to the operator of the facility. Council Member Shotwell said there is a business near there that is sensitive to dust. He asked if the city could require dust to be kept at a bare minimum. Mr. Hinderaker said staff is asking that the paved area be fenced from the unpaved area so it can be kept as dust free as possible.

Maria Pericez, 534 Blueberry Lane, said her nearby business sells vehicles and when vehicles enter and leave this property, it creates a lot of dust. She said it is very difficult to keep vehicles clean on their property. Mr. Hinderaker said the fact that the paved area will be fenced off should address this issue. Council Member Copeland said some of the dust may be because of lack of use and they will not be driving on the dirt portion. Council Member Shotwell asked if Council could require the

applicant to keep the concrete surface clean and to clean it off before operations begin. Mr. Hinderaker replied it was Council's discretion to add that stipulation to the motion.

Council Member Shotwell moved, seconded by Deputy Mayor Pro Tem Clemson, to close the public hearing and approve Case SU150803 per staff's and Planning and Zoning Commission recommendations with the additional stipulation that before the Certificate of Occupancy is issued the existing pavement is to be cleaned. The motion carried unanimously.

Ayes: 9 - Mayor Ron Jensen; Mayor Pro Tem Jim Swafford; Deputy Mayor Pro Tem Jorja Clemson; Council Member Jeff Copeland; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Tony Shotwell; Council Member Lila Thorn and Council Member Jeff Wooldridge

Enactment No: ORD 9901-2015

19

Z150703/CP150702 - Zoning Change/Concept Plan - Polo Residential (City Council District 6). Amend the concept plan for Tract Number 20 of Planned Development-136 (PD-136) District. The 8.98-acre property, located at 4603 S. Carrier Parkway, 4607 S. Carrier Parkway, and 4611 S. Carrier Parkway, is zoned PD-136. The owner/applicant is William Pohl. (On August 3, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0.)

Mr. Hinderaker reviewed Case Z150703/CP150702. He said the applicant is proposing a single family development 40 lots. The required minimum lot sizes are 80% between 7,800 to 8,999; and 20% over 9,000 sq. ft. Homes will be built slightly larger than the required minimum of 1800 sq. ft; the lots are narrower than required; there will be no J Swing lots; there will be enhanced garage doors; and the applicant will be exceeding the masonry requirement of 80-85%. Mr. Hinderaker said staff recommended approval.

Peter Verdicchio, 4201 Parker Lane, Austin, stated he was present to answer questions.

Council Member Thorn commended the applicant for listening to residents of Westchester. Council Member Wooldridge asked if the type of fence was requested by Westchester residents. Mr. Hinderaker replied that it was because they wanted it to match the existing fence. Council Member Giessner said this is a mandatory HOA and Westchester PID and they like to keep things the same.

Council Member Wooldridge moved, seconded by Council Member Thorn, to close the public hearing and approve Case Z150703/CP150702. The motion carried unanimously.

Ayes: 9 - Mayor Ron Jensen; Mayor Pro Tem Jim Swafford; Deputy Mayor Pro Tem Jorja Clemson; Council Member Jeff Copeland; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Tony Shotwell; Council Member Lila Thorn and Council Member Jeff Wooldridge

Enactment No: ORD 9902-2015

Items for Individual Consideration

20

Public hearing on proposed tax rate - Hold a public hearing seeking citizen

comments on proposed tax rate of \$0.669998 per \$100 assessed valuation in accordance with the Texas Property Tax Code

Patsy Ray, 2217 El Paso, said she was concerned and would like information to provide to the residents of Dalworth. Ms. Ray said she attended a school board meeting in May and the Superintendent and Board President talked about a 46 cent increase. Mayor Jensen replied that the school board sets their own tax rate. Ms. Ray asked if this tax rate would be published in the Pipeline. City Attorney Don Postell said it would be published on the Council Agendas and posted on the website. Mayor Jensen stated this tax rate is proposed each August and is the same tax rate the city has had for many years.

Mayor Jensen said the City Manager looked at the tax roll over the last ten years and compared twelve homes throughout the city and determined that over the ten year time period, these homeowners were paying 1.87% more than they were ten years ago.

Presented

21

A-06-14 - Annexation - Hunter Ferrell Road & MacArthur Boulevard (City Council District 1). Consider adoption of a Memorandum of Understanding (MOU) between Grand Prairie and Irving AND adoption of a Resolution outlining the timetable for annexation of a portion of Hunter Ferrell Road located between S. Belt Line Road and a portion of the MacArthur Boulevard located between Hunter Ferrell Road and the south side of the new MacArthur Boulevard bridge to establish the mutual municipal boundary line, along said section of roadways, between the City of Grand Prairie, Texas and the City of Irving, Texas. The owner/applicant is The City of Grand Prairie Planning Department.

Council Member Wooldridge moved, seconded by Council Member Thorn to table Item 21 (Annexation - Hunter Ferrell). The motion carried unanimously.

Ayes: 9 - Mayor Ron Jensen; Mayor Pro Tem Jim Swafford; Deputy Mayor Pro Tem Jorja Clemson; Council Member Jeff Copeland; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Tony Shotwell; Council Member Lila Thorn and Council Member Jeff Wooldridge

22

SA150801 - Street Abandonment - Hines Ave. (City Council District 1). Consider a request for the approval of the Street Right-Of-Way Abandonment of a portion of Hines Street located between Cox Street and running in a southwesterly direction approximately 515 feet to its terminus at the corporate boundary of the City of Grand Prairie and the City of Arlington. This portion of Hines Street Right-Of-Way is approximately 50 feet wide and abuts Lots 1-4, Block C and Lots 5-8, Block A of the L. Cox and C. Hines Resubdivision Addition to the City of Grand Prairie, Dallas County, Texas. The subject Right-Of-Way is located west of Cox Street and south of E. Abram Street.

Mr. Hinderaker stated that this abandonment would run from the Intersection of Hines and Cox to the city limit.

Deputy Mayor Pro Tem Clemson moved, seconded by Council Member Thorn to approve Item 22, Hines Avenue Street Abandonment. The motion carried unanimously.

Ayes: 9 - Mayor Ron Jensen; Mayor Pro Tem Jim Swafford; Deputy Mayor Pro Tem Jorja Clemson; Council Member Jeff Copeland; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Tony Shotwell; Council Member Lila Thorn and Council Member Jeff Wooldridge

Enactment No: ORD 9903-2015

23 Ordinance calling a special election for November 3, 2015 for the purpose of authorizing the sale of park land at the northwest corner of SH161 and Warrior Trail

Withdrawn

24 Board Appointments

Council Member Fregoe moved, seconded by Council Member Thorn to appoint Michelle Steppe to the Animal Shelter Advisory Board. The motion carried unanimously.

Ayes: 9 - Mayor Ron Jensen; Mayor Pro Tem Jim Swafford; Deputy Mayor Pro Tem Jorja Clemson; Council Member Jeff Copeland; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Tony Shotwell; Council Member Lila Thorn and Council Member Jeff Wooldridge

Citizen Comments

Bharesh Patel, 1611 Ridgemar Drive, stated that the Code and Environmental Departments come in annually to inspect his business. He said he has been cited for a vehicle parked outside and was told he could not have cars parked there. Mr. Patel said he explained it was an employee's car and he was at lunch and when he returned he would move it, but he was given a citation anyway. He said that rules that apply are not enforced equally and he felt he was being discriminated against.

Adjournment

Mayor Jensen announced that on October 17 the groundbreaking for the Epic would be held with a live concert at 7:00 pm. Council Member Shotwell invited everyone to come to the Farmers Market on Saturday for the Hatch Chile Festival.

Mayor Jensen adjourned the meeting at 7:32 p.m.

The foregoing minutes were approved at the September 1, 2015 Council Meeting.

Catherine E. DiMaggio, City Secretary