

## **City of Grand Prairie**

Temporary Meeting Place Grand Prairie ISD Administration Building 2602 S. Beltline Road Grand Prairie, Texas

# Minutes - Final City Council

Tuesday, February 21, 2012

4:30 PM

**Grand Prairie ISD Board Room** 

#### Call to Order

Mayor Pro Tem Jim Swafford called the meeting to order at 4:30 p.m.

Present 8 -

Mayor Pro Tem Jim Swafford; Deputy Mayor Pro Tem Ruthe Jackson; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Ron Jensen; Council Member Tony Shotwell and Council Member Bill Thorn

Absent 1 -

Mayor Charles England

#### **Staff Presentations**

City Wide Drainage Master Plan Update - Presented by Romin Khavari, City Engineer

Romin Khavari, City Engineer, updated Council on the drainage master plan. Mr. Khavari showed pictures of areas that were affected by the January 25 significant rainfall. He said the master plan goal is to cost-effectively manage flood or storm waters within budgeting constraints. He said the city has 19,050 acres of floodplain which is 36.7% of the city's area. Mr. Khavari said the plan focuses on the number of properties/structures and roadways that are benefited from flood event protection when prioritizing projects and submitting them for Council consideration of the Capital Improvements 2013 fiscal year budget.

Council Member Hepworth asked if we look to see how Grand Prairie is affected in relation to the cities around us. Mr. Khavari replied that staff works with neighboring cities because a lot of water that flows into Grand Prairie comes from surrounding cities. He said that staff will be bringing contracts for various consultants to Council for consideration at the March 20 meeting.

City Manager Tom Hart asked Mr. Khavari to update Council on the Joe Pool Lake dam study being conducted by the Army Corps of Engineers (COE) with regard to drilling activities near the dam. Mr. Khavari stated the city currently has a moratorium on gas drilling near the dam. He said the COE is working with vartious drilling companies (XTO and Chesapeake) and have hired a consultant to complete the study and they anticipate releasing findings in September 2012.

Update on Police Problem-Solving Unit and Impact Team - Presented by Police Chief Steve Dye

Police Chief Steve Dye stated that the Problem Solving Unit (PSU) was previously the Community Services Unit. The unit partners with other city departments and community stakeholders to address quality of life issues and develop long-term solutions. Some of the current initiatives include crime prevention education and an

2

1

increase in neighborhood crime watch organizations. An apartment complex managers group has been formed to discuss issues and to make them less vulnerable to crime. The Crime Free multi-housing initiative will take a closer look at who they are renting our apartments to (i.e. they should not rent affordable housing to known criminals). Chief Dye said he will be bringing an ordinance to Council regarding crime free multi-housing. Another initiative concerns Illegal activity at hotels and motels. The problem solving unit will be working with them to start adding value to our community or look at a method to rid them of crime occurring at their hotel/motel. The PSU will also be focusing on prostitution eradication, illegal gaming devices, and addressing non-emergency citizen complaints.

Chief Dye said the Intense Mobile Patrol Against Crime Trends (IMPACT) Team has been using intelligence led data to allocate resources to issues. As a result, property crime is decreasing. Their coordinated efforts on a daily basis has been focused on crime trends within a specific geographic area. Four high activity patrol officers will rotate every six months. This is a high visibility and high saturation activity and is focused in targeted areas to identify and apprehend major offenders.

Sgt. Ronnie Morris addressed Council regarding crime free multi-housing. He said there are 16 complexes in Phase I and classes have been scheduled with several more complexes. He said there are several that have illegal gambling and prostitution operations and the department is working om cooperation with other state agencies on these issues. Sgt. Morris said they have encountered vagrant issues and have been relocating them. The team has met with one of the major hotel chains with regard to crime reduction strategies. They are also working with HOA's to address quality of life issues.

Mayor Pro Tem Swafford aked what percentage of multi-housing managers already perform background checks to qualify tenants. Sqt. Morris said apartment complexes use a form similar to the crime lease addendum, but their form has no teeth to it and they do not enforce them. The lease addendum is required to be signed and are proposed tenants are subject to a criminal background check. Chief Dye said the department is not looking to evict anyone unless they commit another crime. Council Member Fregoe asked how this affected re-entry people who have committed crimes and have served their time. Chief Dye said they would not be holding that against them. Chief Dye added that the TABC investigator has a part-time office in the building as does the National Insurance Crime Bureau. These agencies assist in the department's proactive intiatives that have been put in place. Mr. Hart said he heard from a Westchester group that is tracking crime in their neighborhood and was told there have been no burglaries in Westchester this past month. Chief Dye said the beat officers have done an outstanding job and have been working with the HOA.

Uptown Theater Update - Presented by Rick Herold, Parks and Recreation Director

Rick Herold, Parks and Recreation Director, distributed the Parks and Recreation 2011 Year End Annual Report. Mr. Herold invited the Council to attend upcoming events at the Uptown Theater including: Hot Club of Cownton on March 3; The Coasters on February 25; Tish Hinojosa on April 14. He said the mission of the department is to bring people downtown. Uptown Exposed on March 15 will be a free evening of fun and music and will showcase the 2012 season.

Ms. Libby Clawson, Grand Prairie Arts Council President, said she had been working with city staff to fill the theater. She thanked the city for providing the Uptown Theatre. Ms. Clawson said the Arts Council has worked for 30 years going from place to place for their performances within the city. In 2007-2008 the Arts Council had 2400 patrons and \$20,000 in ticket revenues; in 2009, they had 6,000 patrons

City of Grand Prairie

and \$49,000 in ticket revenues, both of which were a result of the availability of the Uptown Theatre. She said the Arts Council has been nominated for two Column Awards in the DFW area, one for best play for Neil Simon's "Rumors" and for best set design. She said the Arts Council brings 6,000 patrons a year to the downtown area and 300 people audition for shows – many of whom are coming to Grand Prairie for the first time. Ms. Clawson added that the Arts Council will be doing a senior theatre workshop at the Summit, and will have a dinner theatre in July and August. 2012season tickets are currently on sale and will feature Forever Plaid; Hairspray; Best Little Whorehouse in Texas; and Seussical, a Christmas show. Ms. Clawson said complimentary tickets will be provided to Council.

Mr. Herold said that new to the Uptown Theater this year will be the Texas Family Musicals which will be bringing the following musicals to the Uptown: Roy Rogers Tribute, April 28; The Foreigner, June 10; America the Beautiful: July 4, 13 and 14; The Night the Music Died, July 29 and 29; World of John Denver, August 26; and British Invasion, August 31 and September 1.

Beverly Grogan, Parks and Recreation Department said the Uptown Theater will now have Box Office Hours from Monday through Friday, 10 am to 6 pm. New this year will be Studio Sounds live at the Uptown – once a month there will be one or two people playing in the black box. Each Wednesday an e-mail blast will go out with information on events taking place at the Uptown. A renewed focus on rentals at the theater for parties, weddings, and other occasions will be coordinated by the Ruthe Jackson Center staff. Staff is currently seeking naming rights for the performance hall and dressing rooms. Ms. Grogan said the Farmers Market opens on March 31 with BBQ and Blues from 8 am to 1 pm.

Council Member Shotwell applauded the Parks and Recreation staff for their enthusiasm and for thinking outside the box. He said he was anxious to get the downtown up to its potential. Mr. Shotwell asked Mr. Herold to share his e-mail list with Ms. Clawson. He clarified that with regard to naming rights, the name of the theater would not be changed from Uptown.

#### **Agenda Review**

Council Member Shotwell asked Andy White, Assistant to the City Manager, to explain Item 11, A resolution suspending the atmos request for a rate increase. Mr. White said the resolution is to delay the price increase until the cities have a chance to negotiate a price. Mr. Shotwell asked how many cities were in the Atmos Cities Steering Committee. Mr. White said there were 141 cities. Mr. Shotwell asked Dallas did not participate in the Steering Committee. Mr. White said Dallas decided to negotiate on their own and they did well. Mr. Shotwell suggested asking for a "most favored nation" clause. Mayor Pro Tem Swafford said he had concerns about this rate request because their proposal on the base rate is going up 240% which will affect every customer. Council Member Fregoe asked Mr. White to explain the negotiation process. Mr. White said the Steering Committee will go into negotiations with Atmos to come to an agreement; if negotiations are not successful, the case will go to the PUC then PUC will rule on the request. Mr. Fregoe asked if the negotiations cost the city money. City Attorney Don Postell said there is a cost from the committee but it is paid in the rate settlement. Mr. Fregoe asked how long the cities have to negotiate. Mr. White said negotiations can take up to one year. Mr. Shotwell said Atmos is proposing to increase the base rate bill from \$7.00 to almost \$19.00 a month even if there is no use. Mr. White said there are three components to the rate: capital improvements; return of equity; and a flat rate increase. Mr. Swafford asked Mr. White to keep the Council updated during negotiations.

Mr. Khavari pointed out an error in Item 7 (Lynn Creek Parkway Extension) where the analysis had the wrong location listed. He added that the title of the item was correct.

#### **Executive Session**

There was no executive session.

#### **Recess Meeting**

Mayor Pro Tem Swafford recessed the meeting at 5:50 p.m.

## 6:30 PM GPISD Boardroom

Mayor Pro Tem Swafford reconved the meeting at 6:32 p.m.

Chaplain Emil Balliet, Grand Prairie Police Department, gave the invocation. The Pledge of Allegiance to US Flag and to the Texas Flag was led by Council Member Fregoe

## **Consent Agenda**

Deputy Mayor Pro Tem Jackson moved, seconded by Council Member Fregoe, to approve Items 4 through 12 on the Consent Agenda. The motion carried unanimously.

Minutes of the February 7, 2012 Council Meeting

#### Approved on the Consent Agenda

Purchase two 50,000 GVW tandem rear axle dump trucks from the low bidder, Southwest International, in the amount of \$184,901.32.

#### Approved on the Consent Agenda

One year price agreement with Casco Industries, Municipal Emergency Services, Metro Fire Apparatus and WS Darley for fire hose, nozzles, tools & equipment at an annual estimated amount of \$60,000 per year, and authorize the City Manager to execute up to four one year renewals 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

5

6

Chris Castillo. (On February 6, 2012, the Planning and Zoning Commission

postponed this case by a vote of 9-0 until the applicant reactivates the case.)

Council Member Fregoe moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and table Case SU120201. The motion carried

#### unanimously.

#### Ayes: 8-

Mayor Pro Tem Jim Swafford; Deputy Mayor Pro Tem Ruthe Jackson; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Ron Jensen; Council Member Tony Shotwell and Council Member Bill Thorn

14

SU091001A - Specific Use Permit Renewal - 1519 E. Main Street (City Council District 5). Renewal of Specific Use Permit No. 830 for automotive sales. The site is currently zoned Light Industrial (LI) District and is generally located south of Main Street between 15th Street and 16th Street. This property is located in the Central Business District Three (CBD-3) Overlay District. The owner is Ricardo Flores and the agent is Steve Keeton. (On February 6, 2012, the Planning and Zoning Commission postponed this case by a vote of 9-0 until staff completes a code review for this case.)

Council Member Fregoe moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and table Case SU091001A. The motion carried unanimously.

#### Ayes: 8-

Mayor Pro Tem Jim Swafford; Deputy Mayor Pro Tem Ruthe Jackson; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Ron Jensen; Council Member Tony Shotwell and Council Member Bill Thorn

## **Public Hearing on Zoning Applications**

15

TA120201 - Text Amendment - Article 6, "Density and Dimensional Requirements," of the Unified Development Code. Approval of a Text Amendment to Article 6, "Density and Dimensional Requirements," of the Unified Development Code to amend the Density and Dimensional Tables, add illustrations depicting dimensional requirements, and make grammatical, format and content modifications to improve the quality and clarity of the Article. The owner is the City of Grand Prairie, the applicant is Kevin Lasher, AICP, and the agent is Ryan Miller. (On February 6, 2012, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

Chief City Planner Kevin Lasher stated the purpose of this text amendment is to add illustrations to the Density and Dimensional Requirements in the UDC. These examples will help small business owners understand the requirements. The amendment will add new provisions for Single Family-Townhouse zoning districts. Mr. Lasher said this will address multi-generational housing that is beginning to become more prevalent.

Rosemary Bowlby, 214 Dorris Drive, asked if this would be for low income housing. Mr. Swafford clarified that this is regarding requirements for construction and is just a text amendment to the Unified Development Code, not for any specific city-owned property.

Council Member Shotwell moved, seconded by Deputy Mayor Pro Tem Ruthe Jackson, to close the public hearing and approve Case TA120201. The motion

#### carried unanimously.

#### Ayes: 8-

Mayor Pro Tem Jim Swafford; Deputy Mayor Pro Tem Ruthe Jackson; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Ron Jensen; Council Member Tony Shotwell and Council Member Bill Thorn

#### **Items for Individual Consideration**

#### Board and Commission Appointments

Deputy Mayor Pro Tem Jackson moved, seconded by Council Member Thorn, to appoint Nancy Singletary to the Historical Commission; Bevelynn Young to the Housing and Community Improvement Commission; and Ralph Wiegman to the Public Health Advisory Committee. The motion carried unanimously.

#### Ayes: 8-

Mayor Pro Tem Jim Swafford; Deputy Mayor Pro Tem Ruthe Jackson; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Ron Jensen; Council Member Tony Shotwell and Council Member Bill Thorn

#### Citizen Comments

16

Rosemary Bowlby, 214 Dorris Drive, stated that she wanted to bring to Council's attention some problems at the Summit and she has been trying to reach Mr. Herold for several weeks, but has recently found out that he has been out of the office. She said she would wait to discuss her concerns with Mr. Herold. Ms. Bowly said she was representing Nadine Keenum who has problems at her home on Beltline Road. Ms. Bowlby said she has brought these concerns before Council on several occasions. She said Mr. Shotwell is her new Council Member and he has agreed to come out to the property and discuss her concerns.

### Adjournment

Mayor Pro Tem Swafford noted that South Grand Prairie High School boys basketball team will be competing in Class 5A playoffs this evening at 7:30 p.m. at South Grand Prairie High School. Mr. Swafford said the team has a 30-2 record for the season and is ranked No. 2 in the DFW area; No. 3 in the state; and No. 7 nationally.

Council Member Shotwell invited everyone to attend The Coasters performance on Saturday night at the Uptown Theater. On March 15 a free event will be held at the Uptown to showcase the 2012 season.

Mayor Pro Tem Swafford Adjourned the meeting at 6:50 p.m.

The foregoing minutes were approved at the March 6, 2012 meeting.

Catherine E. DiMaggio

City Secretary