



Minutes - Final  
City Council

---

Tuesday, February 19, 2013

5:00 PM

Council Chambers

---

**Call to Order**

Mayor England called the meeting to order at 5:10 p.m.

**Present 7 -**

**Mayor Charles England; Deputy Mayor Pro Tem Ruthe Jackson; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn**

**Staff Presentations**

**1**

Update on Site Plan, Elevations and General Information related to the Fire Station #1 Construction Project - Presented by Fire Chief Robert Fite

*Chief Fite showed the site plan, renderings and elevations of the new fire station which will replace Fire Station One on Main Street. He said that Bonham Street is being re-built at the same time as the construction of the building itself. He said there will be a secure, fenced parking lot for employees. There are four drive through bays and 20 staff parking spots. Individual sleeping rooms and four restrooms have been included to accommodate both men and women. The tower on the building will be about 3 1/2 stories high and will be lit at night. The facade will have historical brick and arches. Tom Cox, Deputy City Manager, said the roof treatment will be cement tile. Chief Fite said that there is an estimated March 2014 opening. Deputy Mayor Pro Tem Jackson asked if there will be a basement level in the new facility such as there is in the old Fire Station One and the CVE Training Building. Chief Fite said there will not be an underground level, but the building will be tornado rated. Mayor England said this will be a great look for the entrance to downtown. He added that the individual sleeping facilities are a great idea. Chief Fite said there will be 11 staff at this station, one ambulance and a reserve, plus the air truck. City Manager Tom Hart said that Chief Fite has proposed some new organizational moves that will take the department to a new level.*

**Presented**

**Agenda Review**

*Bob O'Neal, Economic Development Director, introduced Jim Cawyer, VP for Finance, Eurocopter (Ref: Item 24. Resolution supporting the American Eurocopter Enterprise Zone Project Nomination).*

**Executive Session**

**Mayor England convened an executive session at 5:25 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., to discuss**

Section 551.072 "Deliberation Regarding Real Property." The executive session was adjourned at 5:50 p.m.

**Recess Meeting**

Mayor England recessed the meeting at 5:50 p.m.

**6:30 PM Council Chambers**

Mayor England reconvened the meeting at 6:35 p.m.

Chaplain Emil Balliet gave the invocation. The Pledge of Allegiance to the US Flag and to the Texas Flag was led by Council Member Jim Swafford.

**Consent Agenda**

*Mr. Chad Ferrell, 3122 S. Great Southwest Parkway, submitted a speaker card in support of Item 14 (Aviator Air Assignment of Commercial Lease and Public Fueling Agreement with Aviator Air Centers to Aviator Air LLC).*

**Deputy Maor Pro Tem Jackson moved, seconded by Council Member Fregoe, to approve Items 2 through 24 on the Consent Agenda. The motion carried unanimously.**

- 2 Change Order/Amendment No. 1 with Ennis Paint, Inc. for the anti-skid product "Tyre Grip" on N. Carrier Pkwy in the amount of \$12,144  
**Approved on the Consent Agenda**
- 3 Bond Counsel Agreement with Fulbright and Jaworski  
**Approved on the Consent Agenda**
- 4 Change Order No. 4 in the amount of \$84,442.07 with ED Bell Construction for Sara Jane Parkway Extension from east dead-end to Forum Drive  
**Approved on the Consent Agenda**
- 5 Price Agreement Contract for Pool Chemicals from DCC Services (Petra Chemical) (\$26,700 annually Sodium Hypochlorite and Hydrochloric Acid (30 gallon), Leslies Pool Mart Inc. (\$3864 annually Chlorine and Salt) and Lonestar Maintenance (\$690 annually Cyanuric Acid). This agreement will be for one year with the option to renew for ---4 additional one year periods totaling \$156,269 if all extensions are exercised. 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**

- 6 Purchase of FY 2012/2013 City Vehicles: ½ Ton 4x4 crew cab pickup, ¾ ton pickups, and ½ ton extended cab pickup; Award bid to Baby Jack II Automotive, LTD (\$80,008)

**Approved on the Consent Agenda**

- 7 Renewal #1 for a price agreement for Life is Grand Newsletter, with Star Telegram Media Services, at an estimated annual cost of \$13,092 for a total of \$65,460 if all renewal options are exercised; and authorize the City Manager to execute any additional 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 term(s)

**Approved on the Consent Agenda**

- 8 Final renewal for a price agreement for Traffic Signal Heads, with McCain, Inc., at an estimated annual cost of \$43,281 bringing the five year total to \$196,183

**Approved on the Consent Agenda**

- 9 Renewal #1 for a Price Agreement for Sewer & Drain Degreaser, with Zep, Inc., at an estimated annual cost of \$31,140 for a total of \$155,700 if all renewal options are exercised. Authorize the City Manager to execute any additional 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 term(s).

**Approved on the Consent Agenda**

- 10 Price Agreement for landscape maintenance for well sites from Good Earth Corporation (\$37,692 annually). This agreement will be for one year with the option to renew for ----four additional one year periods totaling \$188,460 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**

- 11 Contract with Cobb Fendley & Associates for Engineering and Technical Services for the Roy Orr Blvd Bridge Slope Protection Rehabilitation in the total amount of \$59,389

**Approved on the Consent Agenda**

- 12 Contract with Kennedy Construction for the removal of underground storage tanks at 510 - 519 W. Main Street in an amount not to exceed \$80,000 (for the relocation of Fire Station 1)  
**Approved on the Consent Agenda**
- 13 Engineering services contract with Lockwood, Andrews and Newnam, Inc. in the maximum amount of \$155,000 for the Fish Creek Watershed Internal Storm Drain Master Plan Detail Study (Detail Hot Spot Studies)  
**Approved on the Consent Agenda**
- 14 New Office Leases - Aviator Air, LLC, (Chad Ferrell) and Assignment of Commercial Lease Agreement and Public fueling Agreement - Aviator Air Centers, Inc., to Aviator Air LLC.  
**Approved on the Consent Agenda**
- 15 Professional Engineering Design and Construction Contract with KSA Engineers for the Airport Storage Facility in the amount of \$130,875  
**Approved on the Consent Agenda**
- 16 Acquire golf carts, utility vehicles, and related accessories from EZGO a Division of Textron for Prairie Lakes Golf Course and Tangle Ridge Golf Course and authorize the City Manager to execute a three year lease for this acquisition through PNC Bank, which is EZGO's primary financing arm.  
**Approved on the Consent Agenda**
- 17 Price Agreement for the lease of full time and part time employees for the City Of Grand Prairie Parks, Arts, & Recreation Department from The Bowles Group dba Workforce. This agreement is based on a leasing rate of 21.85% per each dollar of gross earnings from leased employees; annually this agreement is estimated to be \$1,462,200 to include the leased employee wages and 21.85% lease rate. This agreement will be for two years with the option to renew for -two additional one-year contracts by mutual written consent; and authorize the City Manager to execute the renewal options with aggregate price fluctuations of up to 25% of the original 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**
- 18 Price Agreement Contract for Janitorial Services from Oriental Business Services (\$345,535 annually). This agreement will be for one year with the option to renew for four additional one year periods totaling \$1,727,675 if all extensions are exercised. 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**

- 19** Change Order/Amendment No. 1 in the revised total contract amount of \$86,030 with Half Associates for the Fish Creek Watershed Internal Storm Drain Master Plan Study, Surveying and Technical Project Management.

**Approved on the Consent Agenda**

- 20** Ordinance amending the FY 2013 RJC Repair Reserve Fund (3174) to appropriate \$73,337 for the purchase of A/V equipment at RJC to be used in the Phase I - RJC A/V System Replacement project; and authorize the purchase of the A/V Equipment from LanTek Communication

**Adopted**

- 21** Ordinance calling the May 11, 2013 Special Election to fill vacancies in Council Member, District One, and Council Member, District Six

**Adopted**

- 22** Ordinance amending the 2012 Calendar Year Section 8 Funds 3001, 3002, and 3004 operating budgets.

**Adopted**

- 23** Ordinance adopting the Housing Choice Voucher (Section 8) Funds 3001, 3002, and 3004 operating budgets for (calendar year) CY 2013

**Adopted**

- 24** Resolution for American Eurocopter Enterprise Zone Project Nomination

**Adopted**

### **Public Hearing Consent Agenda**

- 25** S130103 - Site Plan - Seventh-Day Adventist Church (City Council District 6). Approval of a Site Plan for a religious facility located on 6.237 acres. The subject property is zoned Single Family-One (SF-1) District and is generally located south of W. Interstate Highway-20 and east of Matthew Road. The property is located within the Lakeridge Parkway Overlay District. The owner is TX Conf. Association of SDA, Roger Mekelberg and the applicant is Hickman Consulting Engineers, Mark Hickman. (On February 4, 2013, the Planning and Zoning Commission tabled this case by a vote of 8 to 0 until the applicant reactivates the case.)

**Council Member Swafford moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and table Case S130103. The motion carried unanimously as follows:**

**Ayes: Council Members Fregoe, Giessner, Shotwell, Swafford, Thorn, Deputy Mayor Pro Tem Jackson and Mayor England**

**Nays: None**

### **Public Hearing on Zoning Applications**

**26**

S120802/SU120802 - Site Plan/Specific Use Permit - Quik Trip Convenience Store- 1206 West Main Street (City Council District 5). Approval of a Site Plan and a Specific Use Permit for a convenience store with gas sales on 1.41 acres. The subject property is zoned Commercial (C) District and is located at the northwest corner of W. Main Street and North Highway 161. The property is within Central Business District One (CBD-1) and the State Highway 161 (SH-161) Overlay District. The owner is George Works, United Broom Company and the applicant is Jake Petras, Quik Trip Corporation. (On February 4, 2013, the Planning and Zoning Commission recommended approval of this request by a vote of 6-2.)

*Jim Hinderaker, Chief City Planner, asked that Case S120802/SU120802 be tabled until the March 19 Council Meeting.*

*Since the case was tabled the following individuals who submitted speaker cards did not speak:*

*Ampara Sanchez, 116 NW 14th Street; Maria Dalderon, 114 NW 14th Street; Eli Garcia, 114, NW 14th Street; and Frank Romero, 116 NW 14th Street submitted cards to speak in opposition to this item.*

**Council Member Shotwell moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and table Case S120802/SU120802 until March 19, 2013. The motion carried unanimously as follows:**

**Ayes: Council Members Fregoe, Giessner, Shotwell, Swafford, Thorn, Deputy Mayor Pro Tem Jackson and Mayor England**

**Nays: None**

**27**

SU130201 - Specific Use Permit - Sun Coast Resources, Inc. (City Council District 5) Approval of a Specific Use Permit on 10.967 acres for the operation of a fuel and petroleum distribution center with outside storage (a hazardous industrial use) in a Light Industrial (LI) District. It is situated on the south side of E. Main Street, being generally located east of N.E. 29th Street. The property is within the Central Business District 4 (CBD-4) Overlay District. The agent is William Winkelmann, Winkelmann & Associates, the applicant is Rick Prochaska, Sun Coast Resources, the owner is Patrick Lawler, Lawler Enterprises LTD, and the project manager is Larry Brothmann, Sun Coast Resources. (On February 4, 2013, the Planning and Zoning

Commission recommended approval of this request by a vote of 8-0.)

*Mr. Hinderaker stated this case was for a fuel and distribution center located in a Light Industrial District on the side side of E. Main and east of NE 29th Street in the Central Business Overlay District. He showed the site plan including parking, installation of 30 to 50 above-ground storage tanks with a capacity of 300,000 gallons on this site. The site will be servicing the region. In addition there will be 4 or 5 fuel tanks on site for their own vehicles. The project has met all UDC requirements and staff recommends approval.*

*Council Member Shotwell said if this case is approved, the former SUP will be replaced by this new SUP.*

*Max Coleman, 9 Heritage Court, said the he had attended the Planning and Zoning Commission meeting when this case was heard. He said he was initially concerned about their safety scores as far as transportation. Mr. Coleman said he called the company and they said at this facility they will have their own safety person in Grand Prairie. He said he was also told they had not updated their driver information for 2012 which would skew the numbers.*

*Mr. William Winkelmann, 6750 Hillcrest Plaza, Suite 325, Dallas, and Mr. Larry Bothman, Sun Coast, 6922 Cavalcade, Houston, were present to answer questions.*

*Council Member Shotwell said this property was just rezoned and was given an SUP a few months ago. This SUP will supersede that and will bring the entire property under one tenant. He said he had met with staff and everyone believes this will be a good use.*

**Council Member Shotwell moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and approve Case SU130201. The motion carried unanimously as follows:**

**Ayes: Council Members Fregoe, Giessner, Shotwell, Swafford, Thorn, Deputy Mayor Pro Tem Jackson and Mayor England**

**Nays: None**

28

Z130201/S130202 - Zoning Change/Site Plan - Glen Carr House of Grand Prairie (City Council District 6). Approval of a an amendment to Planned Development 249 (PD-249) District to include convalescent/nursing home commercial uses and a Site Plan for a memory care facility located on 4.815 acres. The subject property is zoned Planned Development 249 (PD-249) District and is situated on the southwest corner of N. Grand Peninsula Drive and Lake Ridge Parkway. The property is located within the Lake Ridge Parkway Overlay District. The applicant is Seth Kelly, RLK Engineering and the owner is Frank Murphy, Wynne Jackson Grand Peninsula, LP. (On February 4, 2013, the Planning and Zoning Commission recommended approval of this request by a vote of 7-1).

*Mr. Hinderaker stated the proposed memory center would be located at the intersection of Grand Peninsula and Lake Ridge Parkway. He said it is located In Lake Ridge Parkway Overlay District. The site plan is 8.85 acres, with a 23,376 single story building with three wings, each with 12 units, for a total of 36 units. There will be a common area and administrative offices. Mr. Hinderaker said the applicant had met all requirements. The Planning and Zoning Commission approved the case*

by a 6-2 vote. They were concerned about the best and highest use and thought perhaps commercial with retail sales would be a better use. Mr. Hinderaker said staff had no objections to the request.

Mayor England asked if this was the highest and best use for this property. Mr. Hinderaker replied that it was not, but it was an acceptable use.

Frank Murphy, Principal of Wynne Jackson, stated that initially this corner was dedicated as the main entry to Grand Peninsula and the Wildflower Resort. At that time it was expected to be a retail corner. There is a culvert at this site and a portion of this parcel had to be taken out and put into a detention area. Wildflower declared bankruptcy so the traffic that was expected with this project was no longer there. He said there is a competing site on the peninsula for retail use. He said 50% of the trade area is not developable. Mr. Murphy said he felt the proposed use is compatible and asked for Council approval.

Jason Wiley, Oxford Development, 125 N. Market #1416, Wichita, Kansas, submitted a card in support of this item.

Pat Ayers, Oxford Development, 2008 Timbercreek, Wichita, Kansas, said the company focuses on memory care which is the crisis health issue of the times. He said this request is for 4.8 acres and there is potential for development on the remainder of the 8 acres. He stated that the vote by the Planning and Zoning Commission was 7-1 not 6-2 (as indicated earlier by Mr. Hinderaker). If approved this facility would employ 32 full-time positions and in the 2nd phase would employ 64 people. He said that Oxford looks for locations between where people live and work. He said the company also looks at sites that may have been considered commercial sites but with the economy, that is no longer viable. He said families want their loved ones cared for in the neighborhood.

Ed Frieze, 5330 Palamar Lane, Dallas, 75229, did not speak but submitted a speaker card in support of this item.

Sherman Hatch, 2430 Grand Peninsula Drive, stated that he owned Primrose School which is directly west of the proposed site. He said he had met with the owner and operator and he supported this case. Mr. Hatch said if a convenience store went in at this location, they would be selling alcohol and he would be against that. He said fast food or retail establishments may not maintain the back of the facility that faces Primrose.

Antoine Scott, 6964 Regatta Drive, stated that he was representing the HOA of Grand Peninsula. He said the HOA supported this project. Mr. Scott said that Oxford came to the community and met with HOA and residents. The consensus was that no retail was desired at this location. The majority wanted something with the least amount of traffic and that would complement the community. Mr. Scott said that Oxford will maintain the lighthouse structure at the entrance of the community.

Chad Edwards, 2443 Dockside Drive, said he lives in this neighborhood and is closest to this development. He said the memory care center was a good opportunity for the neighbors rather than a gas station or retail development. He said he supported this case.

Jennifer Stoddard, 8150 N. Central Expressway, Suite 1150, Dallas, submitted a speaker card in support of this case but did not speak.

Mark Hajdu, President and CEO of Triumph Real Estate, 6805 Sedgwick Drive,



Dallas, said he would be proud to have this in his community. He said there is no interest for Quiktrip, 7-Eleven, etc. to locate in this area. However, there has been interest for professional offices. He said this memory care facility will be a great gateway into this community and this will be highest and best use for area. He said there would be significant problems for retail because of the Corps of Engineers property. He said he did not believe retail would happen at any time in the near future at this location.

Thomas Templeton, 6844 Landing Drive, said he had concerns about not requiring a brick fence. He said he understood they want to make two facilities in this area. The overlay district says it is supposed to be accommodating the community, but no taxes will be paid to city. Mr. Templeton said there are 40,000 cars on that road so it looks like retail would be good for that area and eventually, there will be retail here. He asked Council to not make any exceptions to the Overlay District requirements.

Mayor England said it was good to see Frank Murphy at the meeting. He said he remembered when they were developing the area. Mayor England said they did a great job and Council and staff worked to make this a development the city would be proud of. He said to put a nursing home/memory care center at that corner would be a big mistake. He said the city has waited for 12 years to get Lake Ridge expanded and it will soon connect to SH161. Lake Ridge is a major connector from Cedar Hill and Duncanville to SH161. He said it would be premature to put this facility at this location at the entrance to the peninsula. He urged the Council not to make a decision to put this facility in this location.

**Council Member Swafford moved, seconded by Council Member Thorn, to close the public hearing and deny Case Z130201/S130202. The motion carried as follows:**

**Ayes: Council Members Giessner, Shotwell, Swafford, Thorn, Deputy Mayor Pro Tem Jackson and Mayor England**

**Nays: Council Member Fregoe**

**29**

SU120903 - Specific Use Permit - 2815, 2849, 3001, 3049, 3101, 3149, 3201 E. Main Street (City Council District 5). Approval of a Specific Use Permit for outside storage of portable buildings and storage containers on 29.75 acres. The subject property is zoned Light Industrial (LI) District and is situated on the south side of E. Main Street, being generally located east of N.E. 29th street. The property is within Central Business District 4 (CBD-4) Overlay District. The owner/applicant is McGrath 180 LLC (Randle F. Rose, CAD) and the agent is William Winkelmann & Associates, Inc. (On February 4, 2013, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

*Mr. Hinderaker stated this case was for an SUP for outside storage of portable buildings and storage containers. The applicant would store hazardous and non-hazardous materials. The site is zoned Light Industrial and outside storage requires an SUP. This is located in the Central Business District. Mr. Hinderaker showed sites of storage containers, Adler tanks and modular buildings. In addition, they will put up a modular building just off main Street that will be 23,000 sq. ft. to make modifications and maintenance of modular buildings. The applicant has asked for an appeal to the masonry wall since there is an existing fence and they have requested to landscape along the fence to provide screening. Mr. Hinderaker said that staff had concerns about the height of storage containers, so a height limitation*

has been stipulated in the ordinance: the first 150' cannot stack containers; from 150-250' containers can be stacked two high; beyond that, they could go three high. He said staff was comfortable with the landscaping proposal in lieu of the masonry wall.

Council Member Shotwell asked if all maintenance and storage would be in the existing metal enclosure. Mr. Hinderaker said there is an existing cover that will be walled in for maintenance and washing.

Mike Bray, 1830 W. Airfield, DFW Airport, and William Winkelmann, 6750 Hillcrest Plaza Drive, submitted speaker cards in support of this item and were present to answer questions.

Max Coleman, 9 Heritage Court, submitted a speaker card in support of this item.

Council Member Shotwell said this site is not exactly east of the last zoning case but there is a piece in between them which has an SUP. He said that he and staff had met with the applicant about where work could be done on the buildings. Mr. Shotwell said he was in agreement with landscape screening. He asked Mr. Bray about truck ingress and egress to the site. Mr. Bray said that trucks would come through the Loop 12 corridor and they will erect signs to direct truck traffic.

**Council Member Shotwell moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and approve Case SU120903. The motion carried unanimously as follows:**

**Ayes: Council Members Fregoe, Giessner, Shotwell, Swafford, Thorn, Deputy Mayor Pro Tem Jackson and Mayor England**

**Nays: None**

### **Items for Individual Consideration**

**30**

Appointment to the Grand Prairie Sports Facilities Development Corporation to fill a vacancy

**Council Member Swafford moved, seconded by Council Member Shotwell, to appoint Greg Giessner to the Sports Corporation (to fill the vacancy created by the resignation of Ron Jensen). The motion carried unanimously as follows:**

**Ayes: Council Members Fregoe, Giessner, Shotwell, Swafford, Thorn, Deputy Mayor Pro Tem Jackson and Mayor England**

**Nays: None**

### **Citizen Comments**

*There were no citizen comments.*

### **Adjournment**

Mayor Pro Tem Jackson noted that Mr. Edward Jones, who was 100 years old passed away a few days ago. Mr. Jones was active in the urban renewal site and worked with Mr. Jackson to clean up the city. Mrs. Jackson asked for a moment of

*silence to honor Mr. Jones. Council Member Shotwell pointed out that on the corner of SE 14th and Jefferson Street on the Dallas side of the street there is a little island with a plaque in honor of Mr. Jones. Mayor England said Mr. Jones was a great Grand Prairie citizen.*

*Mayor England announced that there were two vacant seats on the dais resulting from the resignation of Ron Jensen and Mark Hepworth to run for Mayor as is required by the City Charter.*

**Mayor England adjourned the meeting at 7:35 p.m.**

*The foregoing minutes were approved at the March 5, 2013 meeting.*

---

*Catherine E. DiMaggio, City Secretary*