



Minutes - Final
City Council

Tuesday, December 11, 2012

4:30 PM

Council Chambers

Call to Order

Mayor England called the meeting to order at 4:33 p.m.

Present 8 -

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

Absent 1 -

Council Member Greg Giessner

Staff Presentations

- 1** Police Take Home Vehicle Program - Presented by Police chief Steve Dye and Gary Nichols, Fleet Manager

Police Chief Steve Dye reported that 43 take home vehicles have been issued to patrol officers who live in the city. He said he felt they were accomplishing goals through enhanced visibility and additional service to citizens. He said there had been several occasions when officers on off-duty with a take home vehicle have responded to calls. There were 58 officers on the take-home vehicle list and there will be 22 additional Tahoes available next year. Fifteen of those will be issued next year with seven extra for recruits or those officers who may move back into the city. Mayor England said he was pleased to see the visibility of patrol cars in the city. City Manager Tom Hart thanked Gary Nichols, Equipment Services Manager, and his staff for coordinating the vehicles for this program.

Presented

- 2** Discussion of Rock Island Road - Presented by Tom Hart, City Manager

Mr. Hart stated that staff needed direction from Council on an orphan road situation that involved Rock Island Road and the bridge on that road. Ron McCuller, Public Works Director, said this orphan road issue came up several years ago and there were negotiations between Dallas County, Grand Prairie and Irving about taking over various orphan roads. In 2009, the city was considering annexing Rock Island Road, but thought the County needed to do more to the road before it was annexed since it is in such poor condition. In 2009, the City Council passed a resolution saying Grand Prairie would annex Rock Island from SH161 to the Irving City limits, providing the County would do base repairs and asphalt overlay. In Bear Creek there is a bridge with a lot of erosion at the base and this bridge could fail because of that erosion. Grand Prairie stipulated that the County had to repair the erosion around the piers of the bridge. Subsequently, he talked to an engineer with the Flood Control District who had done a study and said the piers are not deep enough and the erosion is worse than it appears. Mr. McCuller said Grand Prairie asked the County to do an

engineering study to determine what needs to be done to the bridge. He said the bridge will be very expensive to fix. The County's engineering study said the piers only went 40' deep but it is 80' to shale. The recommendation is that bridge be replaced at \$4-5 million. An alternative in the report was to do a temporary fix for \$1 million. But it is not known how long this temporary repair would last. The overlay job the county did on Rock Island has already deteriorated. Mr. McCuller said the County wants to do the \$1 million temporary repair and they would keep the bridge and maintain it and the city would annex just the roadway. The County said it might fit into a future CIP project for widening the road and repairing the bridge. Jim Sparks, Transportation Director, said that there are 3,000 vehicles a day total in both directions from Roy Orr to Beltline. Mr. Hart said staff's recommendation is that we do not take the bridge until it is replaced because of liability issues and political ramifications. He said if the bridge had to be closed it would be more negative to Irving since they use it to access their Public Works facility. Staff thinks they should do a quarterly inspection of the bridge. Mr. Hart said he would be comfortable accepting the road, but if the bridge fails people would be looking at the city. Council Member Swafford asked what good the road is without the bridge. Mr. Hart said if there were detailed traffic counts it would probably show that a lot of the traffic is not Grand Prairie traffic. Mr. Swafford said he did not want to annex the road until the bridge is fixed. Council Member Hepworth expressed a concern that if the city enters into this agreement the city would be recognizing there is a problem and that would be a liability issue. City Attorney Don Postell said that city would be acknowledging there is a problem and would be asking the County to do the periodic studies on the bridge. The County is not pushing liability for it and we would not be annexing that bridge portion. Mr. Hepworth said if the bridge fails and there is an accident, and they found out the city took the road and not the bridge would the city be complicit and exposed to more liability. Mr. Postell stated that the city would get sued, but being held liable is remote in this circumstance. The County accepted the continuing liability for the bridge.

Mr. Hart said the County Commissioner will be unhappy and this may affect other city/County projects (MacArthur, Camp Wisdom, etc.), but knowing her he would be surprised if she would do that. Mr. McCuller stated that the resolution stipulated that if the County fixed the bridge and the roadway, the city would annex it from SH161 to the Irving City limits. The County wants Grand Prairie to annex the whole roadway to Beltline Road. Council Member Shotwell said that currently the city limit is on the south side of Rock Island and the Irving city limit is between the Dart track and Rock Island Road. Mayor England asked why Irving is not involved in this. Mr. McCuller said he did not know the history of how Grand Prairie got Rock Island and Irving did not. Mr. Swafford said with the Irving development that is going on on both sides of Roy Orr, Irving had at least 80% of the traffic. Mr. Sparks said 3% of 3,000 vehicles were City of Irving vehicles because they have a city facility on Roy Orr. Mayor England said he did not want to take the road without the bridge being fixed. He said he remembered when the bridge on Carrier Parkway collapsed. Mr. Shotwell said he wanted the County to fix the road and the bridge then Grand Prairie would annex it. Mr. Postell said Irving talked about disannexing the portion with the power station and that would become Grand Prairie. Mr. Hart said he would contact the County Commissioner and put it in writing that Grand Prairie would still be open to discussion if the County will do the road and complete the bridge. Mayor England said that Commissioner Garcia needs to know that Irving would need to be responsible for the portion of the road in Irving.

Bill Crolley, Planning Director, said from the discussions he had with the city staff in Irving they have no property to develop adjacent to the power station and they have no interest in Rock Island.

Presented

Agenda Review

Mr. Hart thanked Tannie Camarata, Cash and Debt Manager, for his work on the refunding bonds (ref: Item 25 - Authorizing the issuance of General Obligation Refunding Bonds, Series 2012). Jim Sabonis, First Southwest, stated that in October he had met with Mr. Camarata and Ms. Ortiz to target some refunding bonds. There were two tax issues funded in 2006 in the amount of \$8.6 million at 5% interest. He said that because of the city's strong financial management, policies and procedures the city received a 1.43% interest rate on the bonds which will save \$1,492,000 or a 15.5% savings. Mr. Sabonis said this was the lowest bid they have ever had. Mr. Swafford said the city maintained its AA+ bond rating and extended his thanks to Tannie Camarata for his help with this sale.

Mayor England stated that staff had asked to remove Item 14 (Airport Leases - Uniflight LLC and Landlord's Waiver and Consent) from the Consent Agenda.

Executive Session

Mayor England convened a closed session at 5:12 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., Section 551.071 "Consultation with Attorney" City of Grand Prairie v. Winn Gjetley Cause No. CC-11-07832-E, DC-11-08305-J and Section 551.087 "Deliberations Regarding Economic Development Negotiations." The executive session adjourned at 5:37 p.m.

Recess Meeting

Mayor England recessed the meeting at 5:37 p.m.

6:30 PM Council Chambers

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

Dr. Bill Skaar, First Baptist Church, gave the invocation and the Pledge of Allegiance to US Flag and to the Texas Flag was led by Deputy Mayor Pro Tem Ruthe Jackson.

Presentations

3 Employee of the Month - Presented by Doug Cuny, Utility Customer Service Manager

Doug Cuny, Revenue Management Manager, introduced Sylvia Molinar, Employee of the Month for December. Mr. Hart presented Ms. Molinar with an engraved clock and a certificate and thanked her for her dedication to the city.

Presented

Consent Agenda

Council Member Swafford stated that Item 25 on the Consent Agenda was authorizing the issuance of General Obligation Refunding Bonds which will reduce the interest rate on \$8.755 million from around 4% to 1.43% which is a savings over 8 years of \$1,339,872 or 15.5%. Stifel, Nicolaus & Company, Inc. and Stephens, Inc. were the low bidder on the bonds. He added that the city has maintained its AA+ ratings. He thanked Diana Ortiz, CFO, and Tannie Camarata, Cash and Debt Manager, for the work they did on preparing the bond issue and briefing the rating companies.

Deputy Mayor Pro Tem Jackson moved, seconded by Council Member Fregoe, to approve Items 4 through 13, remove Item 14, and approve Items 15 through 26 on the Consent Agenda. The motion carried unanimously.

- 4** Minutes of the November 20, 2012 Meeting
- Approved on the Consent Agenda**
- 5** Change Order No. 4 in the net amount of \$81,095.76 with SJ Louis for Freetown Combo for Freetown Road Phase I, 30" Water Line along Robinson Road and 12" Water Main in Carrier Parkway
- Approved on the Consent Agenda**
- 6** Two-Year Engineering Contract for Continued Groundwater Monitoring Services by Weaver Boos Consultants LLC Southwest at cost of \$54,644
- Approved on the Consent Agenda**
- 7** Purchase four (4) 2013 John Deere 310SK Backhoe Loaders with three (3) 2013 Okada ORV1300 Hydraulic Jackhammer attachments in the amount of \$429,002
- Approved on the Consent Agenda**
- 8** Purchase of Landfill Equipment through Texas Procurement and Support Services (TPASS):
- a. Volvo G940B Motor Grader (\$226,996) from Romco Equipment Company
 - b. Volvo A25F 6x6 Articulated Hauler (\$324,991) from Romco Equipment Company
- Approved on the Consent Agenda**
- 9** Purchase, installation, activation and monitoring of thirty (30) Smart Cover - S from Hadronex, Inc. through the Buy Board interlocal cooperative agreement, in the amount of \$122,550
- Approved on the Consent Agenda**
- 10** Purchase Two Bucket Trucks for Street Services, for a total amount of \$225,423.50 through Buy Board

Approved on the Consent Agenda

- 11 Purchase of five Half Ton Pickups from Randall Reed's Prestige Ford in the amount of \$88,500

Approved on the Consent Agenda

- 12 Price Agreement for Asphalt Road Surfacing Products from APAC Texas, Inc. (\$137,000 annually) through a Master Inter-local agreement with Tarrant County, for one year with the option to renew for two (2) additional one year periods totaling \$411,000 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

- 13 Price Agreement for Water Meter Testing and Repairs from UWS, Inc. (\$33,500 annually), for one year with the option to renew for ---two additional one year periods totaling \$100,500 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

- 14 Airport Leases - Uniflight, LLC and Landord's Waiver and Consent - Uniflight, LLC, Hangar Locations 10 North B and 10 North C - in favor of Gibraltar Business Capital, LLC and Boathouse Capital LP

Withdrawn

- 15 Airport Office Lease - Suite 102, Grand Prairie Municipal Airport Terminal - Dennis Lauterbach

Approved on the Consent Agenda

- 16 Resolution authorizing the City Manager to execute a master inter-local purchasing agreement between the City of Grand Prairie and the City of Cedar Hill, Texas

Adopted

- 17 Resolution ratifying the City Manager's application for a grant from the Texas Department of Transportation to fund additional DWI enforcement during the holiday seasons including Christmas, New Years, Spring Break, Independence Day and Labor Day in the amount of \$20,000

Adopted

- 18 Resolution appointing James Cain, Chair of the Grand Prairie Chamber of Commerce, to the Boards of Directors for three Tax Increment Financing (TIF) Zones

Adopted

- 19 Ordinance amending the FY 2012/2013 Capital Improvement Projects Budget for the purchase and installation of a Full Color Digital Message Center for \$75,599 from RaceLight Signs through The Interlocal Purchasing System

Adopted

- 20 Ordinance amending the FY 2012/2013 Capital Improvement Projects Budget and Change Order/Amendment No. 2 with Teague, Nall and Perkins for Freetown Road Design in the amount of \$73,152

Adopted

- 21 Ordinance authorizing the expenditure of \$131,920.92 for the construction of a single family dwelling at 713 College; and awarding the construction bid to Symone Construction Services in the same amount.

Adopted

- 22 Joint Ordinance and Boundary Agreement between the City of Mansfield and the City of Grand Prairie releasing and accepting corporate limits

Adopted

- 23 Ordinance amending the FY12/13 Capital Improvement Project Budget; and a contract in the amount of \$1,198,800 with Fryer Construction Company to provide all labor, equipment, materials, professional services and incidentals required to complete the reference project located at Traders Village 2.0 MG Elevated Storage Tank, 2850 Safran Drive, and Peninsula 2.0 MG Elevated Storage Tank, 6720 South Highway 360, and a 5% contingency in the amount of \$59,940, for a total project cost of \$1,258,740

Adopted

- 24 Ordinance increasing the Police Department's authorized Civil Service positions, for Fiscal Year 2013, from 234 to 235.

Adopted

- 25 Ordinance authorizing the issuance of General Obligation Refunding Bonds, Series 2012

Adopted

- 26 Ordinance amending the FY 2012/2013 Capital Improvements Project Budget; and a construction contract with Barson Utilities, Inc. in the amount of \$1,255,014 for FY 2011/2012 I&I Replacements; material testing of \$31,376; in-housing engineering of \$62,751, and a 5% contingency of \$62,751, for a total project cost of \$1,411,892

Adopted

Public Hearing Consent Agenda

- 27 S120901 - Site Plan - Western Dental (City Council District 6). Approval of a Site Plan for a dentist office and restaurant located on 1.38 acres. The subject property is zoned Planned Development 114A (PD-114A) District and is located on the northwest corner of W. Camp Wisdom Road and Magna Carta Boulevard. The property is within the State Highway 360 (SH-360) Overlay District. The owner is The Trilogy Group and the applicant is Icon Consulting Engineers, Bruce Dunne. (On November 26, 2012, the Planning and Zoning Commission tabled this case by a vote of 8 to 0 until the applicant reactivates the case.)

Mayor Pro Tem Jensen moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and table Case S120901. The motion carried unanimously.

Ayes: 8 -

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

- 28 SU111102A - Specific Use Permit Renewal - 3055 Kingswood Boulevard (City Council District 6). Approval of the renewal of a Specific Use Permit for a general automotive shop on 0.5820 acres that also includes the following activities: indoor tire sales, oil/lube and tune service, engine/major component repair, state inspection services, and muffler repair. The subject property is zoned Planned Development 178 (PD-178) District and is located east of the intersection of Kingswood Boulevard and State Highway 360. The subject property is located within the State Highway 360 (SH-360) Corridor Overlay District. The owner/applicant is Diab M. Alia. (On November 26, 2012, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

Mayor Pro Tem Jensen moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and approve Case SU111102A. The motion carried unanimously.

Ayes: 8 -

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

29 SU121201/S121201 - Specific Use Permit/Site Plan - Sunbelt Self-Storage (City Council District 6). Approval of Specific Use Permit and Site Plan for a mini storage facility with outside storage on 4.63 acres. The subject property is zoned Commercial-One (C-1) District and is located within the State Highway-360 (SH-360) Overlay District. The property is located on the northwest corner of New York Avenue and Mirabella Boulevard. The owner/applicant is Sunbelt Land Development 360, LTD and agent is Walter Nelson. (On November 26, 2012, the Planning and Zoning Commission tabled this case by a vote of 8 to 0 until the applicant reactivates the case.)

Mayor Pro Tem Jensen moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and table Case SU121201/S121201. The motion carried unanimously.

Ayes: 8 -

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

Public Hearing on Zoning Applications

30 Z121201/SU121202 - Zoning Change/Specific Use Permit - 1601 N. Carrier Parkway (City Council District 1). Approval of a Zoning Change from Planned Development 289B (PD-289B) District to a Planned Development District and a Specific Use Permit for a convenience store with gasoline sales on 1.31 Acres. The subject property is located on the northwest corner of W. North Carrier Parkway and Roy Orr Boulevard. The owner is RRRK Ventures, Ltd., the applicant is Mycoskie McInnis Associates, and the agent is Jerry Marsalis. (On November 26, 2012, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

Bill Crolley, Planning Director, stated this case was for a convenience store with gas sales. He said the proposed use is prohibited in an ordinance passed a few years ago and the applicant is requesting this use at this time. He said the applicant has requested to build a 7-Eleven store with gas sales. The building will be constructed of masonry and stone and meets all building requirements. He said some neighbors had issues with regard to lighting, the dumpster location and how deliveries would be made. The applicant has worked to address these issues and agreed to move the dumpster from the north to across the fire lane and will plant additional trees behind the 7-Eleven adjacent to the homes. Mr. Crolley said there were no appeals on this request and staff has no objections and the Planning and Zoning Commission recommended approval.

David Mars, 2204 Canterbury Park Drive, submitted a speaker card in support of this item but did not wish to speak.

Jerry Marsalis, 1914 Huntington, stated there was a traffic impact analysis done and it showed that Carrier Parkway and Roy Orr can easily carry the traffic. He said that two homeowners meetings were held at city hall to try to address neighbors' concerns with regard to lighting and landscaping. The applicant is required to install

5,000 sq. ft of landscaping and the applicant has agreed to 11,000 sq. ft. and has agreed to specific types of trees; they are trying to meet the neighbors' demands as much as possible. Mr. Marsalis said the Planning and Zoning Commission approved this case by a vote of 8-0 and he asked the Council to do the same. He said the 7-Eleven representative was also present to answer questions.

Kelly Harrisberger, 2206 Canterbury Park, asked where the burden of proof was from 7-Eleven that would warrant overturning the original ordinance. Moving the lights and the dumpster and adding trees is not burden of proof. The original ordinance is there for a reason. At the Planning and Zoning meeting, I said I was not going to stand there and say "not in my backyard" because that is a biased statement. But the original ordinance says "not in their backyard" -- and those are the people at the corner of Roy Orr and Carrier. He asked Council to leave the original ordinance as it is.

Terrie Lutke, 2217 Florida Court, said there are two other gas stations within ½ mile and ten gas stations within two miles and these already meet the needs for gas in this area. She said there are other stations on the fringe of this neighborhood that do not seem to have enough business to stay in business. She expressed a concern that these businesses would go out of business and remain vacant which would devalue the neighbors' property values. She asked how 7-Eleven chose this location and said she recently found out it was market research. She said she wondered if the market research was based on traffic prior to SH161 opening when there was more traffic coming through this intersection. She said that most of the traffic is 18-wheelers because of the Light Industrial zoning in the area and she questioned whether 7-Eleven would expand to attract these customers. Ms. Lutke expressed concerns about traffic flow at this intersection and said she was concerned about the access being close to the intersection. On Roy Orr travelers will only be able to turn right and when there is a red light, traffic tends to stack up in the left lane. She asked how many drivers exiting 7-Eleven on Roy Orr would be creating an issue trying to get into that left turn lane. Ms. Lutke stated that the increased traffic flow would create a traffic safety problem at the crosswalk to access the park. She said when she moved here she did not know the forested area across the street would be turned into condos.

Mike Hutchins, 2213 Florida Court, stated that on March 16, 2004, the City Council voted for a change of zoning from Neighborhood Services to General Retail-One with restrictions, one of which was a store with gas, and the developer agreed to that restriction. The Parkview development has been completed and Mike Lewis Park has been greatly expanded. This property is entirely surrounded by residential. Mr. Hutchins said that to overturn the current zoning there should be some greater good to the city and to the neighborhood. He said he did not feel that a convenience store qualified as a greater good. He said there were three convenience stores within a mile and six within a mile and a half. Mr. Hutchins questioned the tax value of the 7-Eleven to the city and the cost of city services to support it, and with the loss of property values the net revenue would not be a great amount, and it could possibly put existing stores out of business. He said with the completion of SH161, traffic during rush hour is declining in this area and majority of the time traffic is light. Mr. Hutchins said the property owner has a right to develop their property but restrictions were in place when they bought the property. He said that the city's UDC states that "the nature of uses within the development should not have an adverse affect on abutting lower intensity uses." He suggested better options for this site such as a library annex, a recreation center, a church, or other civic or private enterprises. Mr. Hutchins said that North Carrier differs from South Carrier and that from I-30 to the Shell station at 1500 N. Carrier there is no retail, only residential, churches, parks and schools. He said another convenience store is not needed.

Ralph Diaz, 2210 Glacier Park Lane, asked that Council reject or take no action on this case which is for a zoning change to allow a gas station. Mr. Diaz noted that the case had been approved by the Planning and Zoning Commission. He stated that the draft of the Planning and Zoning Commission minutes omitted statements by Mr. Harrisberger and himself regarding gasoline sales being placed so close to a subdivision. He added that this would be a duplication of fueling services already within .01 to .06 miles away on Roy Orr. Mr. Diaz referred to the Traffic Impact Analysis which indicated that 3,805 trips per day would not significantly impact traffic at this location but the entrance from W. Carrier Parkway will be a cross access easement from the west side of this site. Because of the high volume of traffic at this intersection this addition of a fueling station created additional concerns with regard to traffic safety. He added that he felt the Public Improvement District should have been included in the city's notification of this zoning request. Mr. Diaz said that the 2.115 acres tract of land owned by RRKR Ventures, Ltd. was previously zoned General Retail-One with an amendment to exclude gasoline sales, but is now proposing an exception to that zoning. He asked that Council not introduce the sale of hazardous material without just cause, particularly with the negative long term impact to Mike Lewis Park and school bus stops. Mr. Diaz asked again that Council either reject or take no action on this case.

Mr. Crolley said that the slide that was shown to Council still had the original dumpster location and the new location of the dumpster and the revised landscaping that were discussed, and which the applicant agreed to, will become part of the ordinance which staff and the Planning and Zoning Commission recommended and which Council would be considering this evening.

Council Member Shotwell said there had been some comments which eluded to gas being a hazardous material. He asked Fire Chief Robert Fite if, in his opinion, would gas sales this close to residential constitute a large hazard. Chief Fite responded that with new fire codes and storage of gas at these stores it is very safe and new automatic shutoffs limit how much fuel can be dispensed, so from a Fire Department's standpoint it is safe as long as it is safety contained.

Council Member Hepworth said he had visited with many of the neighbors to this site and appreciated their comments. He said he was concerned that the citizens thought that the Council might not be listening to them. He assured the neighbors that the Council is listening and this has been ongoing for several weeks and there have been three citizen meetings where many of his constituents were opposed to this case. Many neighbors have come around to believing this is the best use for this area. Mr. Hepworth said he believed that with the additional benefits of the SH161 Overlay and the concessions of additional landscaping and discussion of the lighting and people being willing to sit down and discuss the issues he believed the only issues would be code enforcement issues and making sure the city stays on top of those issues.

Council Member Hepworth moved, seconded by Council Member Fregoe, to close the public hearing and approve Case Z121201/SU121202. The motion carried unanimously.

Ayes: 8 -

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

Development 163 (PD-163) to Planned Development 163A (PD-163A) District for Commercial uses with restrictions. The amendment shall allow all existing uses and indoor operations of a private vehicle maintenance facility, with general auto repair, indoor storage of recreational vehicles in an existing warehouse building, and outdoor parking of vehicle inventory. The 1.4458 acre site is located east of S. Highway 161, on the north side of Marshall Drive approximately 340 feet west of Carrier Parkway. The property is located within the State Highway 161 Overlay District. The owner/applicant is Bylo Properties. (On November 26, 2012, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

Mr. Crolley stated this case is to allow commercial uses in existing General Retail zoning. He said the he applicant has requested an indoor operation of a private vehicle maintenance facility with general auto repair with indoor parking. Adjacent uses are GR and Mulfi-Family and it is located south of Marshall Drive.

Heather Moreno, 910 Bellaire Circle, Cedar Hill, TX, submitted a speaker card in support of this item but did not wish to speak.

Council Member Swafford moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and approve Case Z121202 as recommended by the Planning and Zoning Commission and staff.

Ayes: 8 -

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

Items for Individual Consideration

32

Public Hearing and Ordinance - Street Name Change Case Number SNC121201: Thayre Circle (City Council District 4) - Approval of a Street Name Change for the purpose of changing Thayre Circle to Berry's Way. The private street is generally located west of State Highway 161 and south of W. Marshall Drive.

Mr. Crolley stated the next two street name change cases were initiated by Lockheed to honor a long time supervisor. He said there is an extensive process to rename a street, but it is much less complicated if you do not change any existing addresses and that is the case with these two street name changes. He said the Development Review Committee had looked at these requests and found no addressing or 911 issues.

Council Member Fregoe moved, seconded by Deputy Mayor Pro Tem Ruthe Jackson, to close the public hearing and approve Case Number SNC121201. The motion carried unanimously.

Ayes: 8 -

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

33

Public Hearing and Ordinance - Street Name Change Case Number

SNC121202: Musselman Drive (City Council District 4). Approval of a Street Name Change for the purpose of changing Musselman Drive to Berry Drive. The private street is generally located west of State Highway 161 and south of W. Marshall Drive.

Council Member Fregoe moved, seconded by Deputy Mayor Pro Tem Ruthe Jackson, to close the public hearing and approve Case Number SNC121202. The motion carried unanimously.

Ayes: 8 -

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

Citizen Comments

There were no citizen comments.

Adjournment

Mayor England wished everyone a Merry Christmas. Deputy Mayor Pro Tem Ruthe Jackson stated that Roy Orr Blvd. has been very important to the city and it has been the County Road and it used to be one of the most important roads between Grand Prairie and Irving. It was a County road all the way through Irving to the airport.

Mayor England adjourned the meeting at 7: 20 p.m.

The foregoing minutes were approved at the January 15, 2013 Council Meeting.

Catherine E. DiMaggio, City Secretary