



Minutes - Final
City Council

Tuesday, March 19, 2013

4:30 PM

Council Chambers

Call to Order

Mayor England convened the meeting at 4:40 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 Bond Sale Presentation - Jim Sabonis, First Southwest Company

Jim Sabonis, First Southwest Company, briefed Council on the bond sale. He said that the city had recently received an AAA rating from Standard & Poor on the General Obligation Bonds and have had an AAA rating for Water and Wastewater bonds. The city issued three refunding bonds and two new money bonds. The Bank of Montreal had the winning bid for the Sales Tax Revenue bonds at 2.35%. Robert Baid & Co. had the winning bid for the Water and Sewer Revenue bonds at 2.05%. The General Obligation Refunding and new money winning bid went to BOSCO, Inc. at 2.1%. The Certificates of Obligation low bid came from Robert Baid at 2.65%. Mr. Sabonis said it was a very successful bond sale, and the staff put together an impressive bond presentation. Council Member Swafford asked about basis points. Mr. Sabonis said that because of the AAA rating, there were four basis points.

Presented

2 Main Street Facade Program - Presented by Rita Heep, Retail Manager

Rita Heep, Retail Manager, said that Phase I of the facade program has been completed (19 facades; and 11,000 sq. ft. of façade area). Ms. Heep introduced Jennifer Hooker, Hill and Wilkinson, Project Manager for Phase 2, and Jennifer Picquet-Reyes, Marrison & Associates. She said that Item 15 on the agenda would begin the second phase of the facade program which will include twice as many facades as the first phase. Ms. Heep showed proposed facade improvements for Phase 2.

Council Member Shotwell asked if the sidewalks were included in the budget. Bob O'Neal, Economic Development Director, said they were not included but he would like to get a budget approved for the sidewalk project. Mr. Shotwell said he had a problem with not tying these projects together as was done in Phase I. Tom Cox, Deputy City Manager, said he thought that could be done so it will match the other side of the street. Ms. Heep said she had surveyed business owners on Main Street and they favor parallel parking. Mayor England said he had previously opposed parallel parking, but he now likes the way this has turned out at the new Subway. He

said parallel parking makes more sense especially if the majority of the property owners are in favor of it. He added that the sidewalks should be done in the same project as the facade program. Council Member Shotwell asked Mr. O'Neal if Council approves this contract, would a schedule also be approved. Mr. O'Neal said the contractor has a timetable and they assured staff that we can do the facade project then the sidewalk project and that would not hurt the facade program in any way. Mr. Shotwell pointed out that there have been drainage problems in the past with the sidewalk and this will be a problem again and all of this needs to be engineered at the same time. He said he would like to approve this item and move the timetable so that these projects could both be constructed at the same time rather than separately. Mayor England said he agreed with Council Member Shotwell. Mr. Shotwell said he would like to pull this item from the consent agenda so that an amendment could be made to the timetable.

Council Member Shotwell asked about the head-in parking near Farmers Market. Discussion took place regarding the ramifications of changing to parallel parking at Farmers Market. Council Member Giessner asked about the cost of the sidewalk project. Bill Crolley, Planning Director, said staff had looked at some information, but he did not have drainage figures. He said it may take about 30 days to get an estimate because survey work had not been done. Ms. Hooker indicated the facade project was not scheduled to start until May, so she would re-evaluate this addition.

Council Member Shotwell asked Ms. Heep to get with Doug Voet at Farmers Market to see the what the effect would be of taking some parking away from Farmers Market.

Deputy Mayor Pro Tem Ruthe stated that March 20 is the anniversary of city incorporation.

Presented

- 3** Discussion of Bowles Group Agreement for lease of full-time and part-time employees - Presented by Tom Hart, City Manager

City Manager Tom Hart stated that Mayor England had asked staff to review the employee leasing contract to see if the city could get out of the contract and hire the employees currently under contract. He said this organization had been built on values and that led to the reconsideration of the contract. Mr. Hart said it came down to a question of what is right and also a money issue. The fiscal impact of hiring the employees will hit more in the Parks funds and would take money from future projects. The impact to the General Fund is about \$100,000 and that can be absorbed. He said he was comfortable recommending that Council deny the contract. The city will remain on the existing contract until those employees can be phased in. The total extra cost will be \$435,000 but will be reduced next year because they would have to be put on insurance and therefore the lease would have increased. He said part-time employees will be phased off. Mayor England said this involves 38 employees who have no one to represent them and he did not feel comfortable with them not being part of the team.

Presented

- 4** Discussion on renaming Sara Jane Parkway (Great Southwest Parkway west to SH360) to Premium Outlet Parkway - Presented by Bill Crolley, Planning Director

Mr. Crolley referred to a letter from Premium Outlets requesting this renaming. He said notices would be sent and then this proposal would be brought back to Council

for consideration. He said there were no addresses off this portion of Sara Jane. He said it was staff's recommendation to rename Sara Jane Parkway to Premium Outlet Parkway from SH360 to Great Southwest Parkway. Council Member Swafford said he agreed with the name change on this portion, but on the east side the developer named that portion after his wife so it would not be a good idea to change the name there. Council Member Fregoe asked if there were any addresses on the portion of Sara Jane to be renamed. Mr. Crolley said there were none. He said the Heritage Inn is right on Sara Jane, but fronts on I-20 and is addressed as I-20.

Presented

Agenda Review

Council Member Shotwell asked if the contract with Auto Glass was just for each time it is used. Marty Davis, Purchasing Director, said that it was. Mayor England said that Item 15 ((Main Street Face Improvement Program) would be removed for individual consideration.

Mayor England convened an executive session at 5:20 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 5:52 p.m.

Recess Meeting

Mayor England recessed the meeting at 5:52 p.m.

6:30 PM Council Chambers

Mayor England reconvened the meeting at 6:40 p.m.

Pastor Bill Webb, Bible Believers First Assembly, gave the invocation. The Pledge of Allegiance to US Flag and to the Texas Flag was led by Deputy Mayor Pro Tem Ruthe Jackson.

Presentations

- 5** Eagle Scout Presentation to Carlos Enrique Munoz
- Council Member Thorn read and presented an Eagle Scout certificate to Carlos Munoz.*
- Postpone**
- 6** Texas Police Chiefs Association Best Practice Recognition Program
- Marlin Price, Director, Texas Police Chiefs Association Best Practices Recognition Program, presented a Certificate of Recognition to Police Chief Steve Dye for*

complete compliance for all standards for accreditation in the Texas Police Chiefs Association Best Practices Program. He stated that only 79 of 2600 agencies in the State have met these standards. Chief Dye thanked Mr. Price for being present at the meeting to present the certificate. Chief Dye recognized Teresa Coomes and Joe Dionisi for the time they spent ensuring the department's compliance in addition to their regular duties.

Presented

Consent Agenda

Deputy Mayor Pro Tem Jackson moved, seconded by Council Member Fregoe, to approve Items 7 through 14, remove Item 15 for individual consideration, and approve Items 16-23. The motion carried unanimously.

7 Minutes of the March 5, 2013 Meeting

Approved on the Consent Agenda

8 Resolution authorizing the City Manager to apply for funding to the Tarrant County 9-1-1 District Public Safety Answering Points Assistance Program in the amount of \$79,566 to purchase 9-1-1 related equipment and supplies

Approved on the Consent Agenda

9 Award the initial portion of a Construction Manager at Risk (CMR) contract to Pogue Construction, Inc. for a new replacement Fire Station No. 1 in the amount of \$295,785

Approved on the Consent Agenda

10 Authorize the City Manager to enter into contract with BrandEra for the creation and implementation of an \$130,000 advertising campaign promoting Grand Prairie as a tourist destination in conjunction with the City's Marketing Department; 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 R & R Electric and Elliott Electric for lighting improvements at the Central Bark Dog Park and Park Administration parking lots for a total of \$114,296 with a 5% contingency of \$5,715, total amount of \$120,011

Approved on the Consent Agenda

12 Price Agreement for fiber restoration services with Gardner Telecommunications (\$201,008 annually) and secondary to STC Utility Services, Inc. This agreement will be for one year with the option to renew for four additional one year periods totaling \$1,005,040 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

- 13** Price Agreement for fleet glass repairs from A-1 Auto Glass (\$15,000 annually). This agreement will be for one year with the option to renew for four additional one-year periods totaling \$75,000 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

- 14** Contract with i35 Constructors for Landfill Gas Collection and Control System Improvements in the amount of \$72,520, plus a 5% contingency of \$3,626 , for a total of \$76,146

Approved on the Consent Agenda

- 15** Main Street Façade Improvement Program - Construction contract with Hill & Wilkinson Construction Group, LTD, for construction services to the street façade of the properties located at 102, 103, 104, 105, 106, 107, 109, 110, 111, 113, 115, 123, 127, and 133 W. Main Street; and 101, 105, 111, and 113 S. Center; and 105 and 107 N. Center in an amount not to exceed \$1,033,443

Council Member Shotwell moved, seconded by Council Member Swafford, to approve Item 15 with the addition that the contract timeline is subject to change in order to make construction and engineering of the sidewalks to coordinate with the facade program.

Ayes: 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

- 16** Inter-Local Agreement with Mansfield Independent School District for construction of a sidewalk on Day Miar Road

Approved on the Consent Agenda

- 17** Ordinance amending the FY 2012/2013 Capital Improvement Projects Budget appropriating \$100,000 for the city's share in a sidewalk along Day Miar Road

Adopted

Enactment No: ORD 9501-2013

- 18 Ordinance amending the FY 2012/2013 Capital Improvements Projects Budget in the amount of \$24,500 for concrete grinding at the landfill by Big City Crushed Concrete, LP.
- Adopted**
- Enactment No: ORD 9502-2013
- 19 Ordinance amending FY 2012/2013 Capital Improvement Projects Budget and authorization to purchase seven LifePak 15 Defibrillators from sole source vendor, Medtronic/Physio-Control of Redmond, WA, for a total cost of \$250,050
- Adopted**
- Enactment No: ORD 9503-2013
- 20 Ordinance amending FY 2012/2013 Capital Improvement Projects Budget for the purchase of dive equipment, 3 Holmatro mini cutters to be placed on ladder trucks, CPR/AED Educational equipment/materials and ratify the replacement of small equipment to re-equip reserve apparatus for a grand total cost of \$25,885
- Adopted**
- Enactment No: ORD 9504-2013
- 21 Ordinance amending the FY2012/13 Capital Improvement Projects Budget and a consultant contract with Freese and Nichols, Inc. in the amount of \$50,000 for an "On Call" Support for Water Modeling and Water System Planning
- Adopted**
- Enactment No: ORD 9505-2013
- 22 Ordinandance authorizing Abandonment and Quitclaim of Portion of City Water Well Site (intersection of NW Dallas Street and NW 13th Street) to Abutting Property Owners
- Adopted**
- Enactment No: ORD 9506-2013
- 23 Final reading of an ordinance approving renewal of the Franchise for Solid Waste Collection Services with Republic Waste Services of Texas Ltd., doing business as Grand Prairie Disposal
- Adopted**
- Enactment No: ORD 9507-2013

Public Hearing Consent Agenda

- 24** SU130302 - Specific Use Permit - 1806 S. Carrier Parkway (City Council District 2). Approval of a Specific Use Permit for a special event center located in an existing retail facility. The subject property is zoned General Retail (GR) District and is generally located south of W. Marshall Drive, being situated on the west side of S. Carrier Parkway. The property is within the State Highway-161 (SH-161) Overlay District. The applicant is Elizabeth Olvera, Love Expressions and the owner is Daniel Palomo, Ministerios Luz Para. (On March 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 Fregoe moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and table Case SU130302. The motion carried unanimously.

Ayes: 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

- 25** M130301 - Moratorium - Ordinance providing for a six month extension of the moratorium on the permitting of group or similar homes into residential areas until such time as a study may be done concerning the spacing or distancing restriction.

Council Member Swafford moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and approve Case M130301. The motion carried unanimously.

Ayes: 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

Enactment No: ORD 9508-2013

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 1.33 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, presented Case S120802/SU120802 for a QuikTrip convenience store at 1206 W. Main Street. The site is located in Central Business District One and the SH-161 Overlay District and the property is zoned Commercial. The store will be 5,720 sq. ft. with nine fueling stations. There will be 50 parking spaces but only 21 are required. Because of the size of this site, the applicant will be seeking to acquire property at the city's water well site as well as the abandonment of NW Dallas Street and some alleys. The applicant has asked for variances for the required 30' landscape buffers; masonry screening wall and buffer adjacent to the water well site; the pitched roof canopy; and the 8' height limit of the monument sign (the applicant requested a 17'3" sign). Mr. Hinderaker stated that the building incorporates both masonry and porcelain tile. The canopy is supposed to have a pitched roof but they would like to emulate the design of the main building and have added articulation to the canopy and canopy columns. Mr. Hinderaker said the abutting property owner (Mr. Harry Green) wrote a letter outlining his concerns (the letter was distributed to Council). He said Mr. Green wants to make sure that Dallas Street is open to the motoring public. As one of the requirements for approval of the site plan and SUP, staff has asked for a plat at which time QuikTrip will dedicate ingress and egress easements at the existing portion of the Dallas Street right-of-way abandonment to make sure there is access for the public and truck deliveries. In addition, QuikTrip will also be responsible for redoing NW13th Street between Main and Dallas to make sure there is access to Mr. Green's facility.

Harry Green, 105 NW 13th Street, stated that he supported the improvements on NW13th Street but not the abandonment of NW13th Street as they originally proposed. With abandonment of Dallas Street he wanted to make sure that his customers and truck deliveries would have access to Dallas Street. He added that any improvements to driveways and landscaping in front of his store should not be at his expense and QuikTrip should maintain those improvements. The portion at the intersection of NW 13th Street should still be called NW 13th Street because TXDOT had informed him that if it was abandoned there would be no address on NW 13th Street. Mr. Green asked for drawings for the construction of driveways and the parking lot because he would want 40' on the south entrance so that vehicles that may or may not be towing a trailer can get access. He said he would like at least two week's notice before construction begins so they can move rocks that were placed to keep 18-wheelers from running over his property.

Jason Acord, 1120 N. Industrial Blvd, Euless, TX, stated that he was the representative for QuikTrip. Mayor England said the QuikTrip stores are operated in a first class manner and this store will be a new design. Mr. Acord said he appreciated staff's assistance with this case because this particular site had some challenges and they had to make some modifications to suit this site.

Council Member Swafford said he had spoken Mr. Acord and was impressed with the new design. He stated that he had a problem with the height of the monument sign at 17' when the ordinance limits the height to 8'. He said that staff had indicated that approving the sign variance would not create a problem setting a precedent, but the city may get future requests for larger signs along SH161. He stated he did not want 17' signs on SH-161 and he could not support this application.

Council Member Shotwell said the street at the north entrance into Mr. Green's property did not have a width indicated on the plat map. Mr. Hinderaker said the driveway would be 35' and the southern driveway to Mr. Green's property is 40'. Mr. Shotwell said the abandonment of Dallas on the north side will cease to be called Dallas but would still be open. Mr. Hinderaker said yes there will be an ingress/egress easement that will be established at least 24' wide. One of the

conditions of this approval is that QuikTrip will come back with a replat to establish the ingress and egress to make sure it is a public dedication.

Mr. Shotwell said he had a concern about the sign but that would not keep him from supporting this case. He said he would like QuikTrip to shrink the sign to at least 14'. He asked Mr. Acord why the sign had to be 17". Mr. Acord said it is because of the way the property is laid out and how the highway turns there. He said the 17' sign would allow enough time for a driver to look and see the sign and the price and make a decision to pull in and get gas. The fence around the water tower property obscures the price of gas. At 14' drivers can see the top price on the sign but not the premium or diesel price. He said that typically QuikTrip would ask for a much higher sign to pull customers off the highway. Council Member Shotwell pointed out that the exit for the highway is up at Dalworth Street. Mr. Acord said QuikTrip was hoping to get some visibility from the service road, not from the highway. Mr. Showell asked what kind of sign would be placed on Main Street. Mr. Acord said the sign would be 7'11". Mr. Shotwell stated that diesel customers are not going to see that price anyway.

Council Member Shotwell told Mr. Acord that he hoped QuikTrip could find a way to make the sign shorter. Mayor England said he did not agree with Council Member Swafford with regard to the sign height. He added that a new sign was authorized at Lone Star Park for an 18' monument sign.

Council Member Shotwell moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and approve Case S120802/SU120802. The motion carried.

Ayes: 6 -

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

Nayes: 1 -

Council Member Jim Swafford

Enactment No: ORD 9509-2013

27

S130301 - Site Plan - True Gospel Missionary Baptist Church (City Council District 1). Approval of a Site Plan for a worship facility located on .344 acres. The subject property is zoned Planned Development 146 (PD-146) District and is generally located south of W. Jefferson Street and east of S.W. 21st Street, being situated on the south side of Galveston Street. The property is within the State Highway-161 (SH-161) Overlay District. The applicant is Wayne Lambdin and the owner is Bobby Lynch, True Gospel Missionary Baptist Church. (On March 4, 2013, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

Mr. Hinderaker presented Case S130301. He said there is an existing home on the property which will be demolished to build a sanctuary of 2,000 sq. ft. In addition to the church structure, the applicant will add 11 parking spaces. Mr. Hinderake said the Overlay requirement is for masonry, but one elevation was left for future expansion.

Bobby Lynch, 1322 Mill Stream, Dallas, TX, stated that he has been at this location since 2000 and he now wanted to start a church. He said he works with men and women to turn their lives around. He said he has partnered with Grand Prairie United Charities because they serve all of Grand Prairie. He said this is a blighted area and

the city had tried to beautify this area and this building would add to the beautification efforts of the city. He said he asked for no appeals because he wanted to partner with the city. Mr. Lynch added that the Planning Department had been a great help to him with this project.

Wayne Lambdin, 1209 Glade Road, Colleyville, stated he was the building architect and was present to answer questions.

Council Member Giessner moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and approve Case S130301. The motion carried unanimously.

Ayes: 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

28

S130302 - Site Plan - Family Dollar (City Council District 2). Approval of a Site Plan for a retail facility located on .753 acres. The subject property is zoned Commercial (C) District and is generally located east of S. Highway 161 and south of W. Jefferson Street, being situated on the west side of S. Carrier Parkway. The property is located within the State Highway-161 (SH-161) Overlay District and Central Business District Two (CBD 2). The applicant is Michael McDonald, Pavilion Development and the owner is Yongshik Kim, Kayasa Family, LTD. (On March 4, 2013, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

Mr. Hinderaker presented Case S130202 for a new Family Dollar retail store on the south side of Jefferson Street. He stated there was an issue dealing with access on the back side of this site. An easement will be established from Conover Drive and running along the west side of the Auto Zone and this site to connect to the retail strip center. Mr. Hinderaker showed the landscaping plan and elevations which meet city standards and overlay requirements. He said there is an issue because of the size of the store and the site so the applicant is requesting a 6' variance for the minimum side yard setback to take it from 10' to 4'.

Council Member Swafford moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and approve Case S130302 The motion carried unanimously.

Ayes: 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

29

SU130301 - Specific Use Permit - 102 S.E. 9th Street (City Council District 5). Approval of a Specific Use Permit for used car sales on .34 acres. The subject property is zoned Commercial (C) District and is located on the northeast corner of E. Pacific Avenue and S.E. 9th Street. The property is within Central Business District Three (CBD 3). The applicant/owner is Fariborz Hadidi. (On March 4, 2013, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

Mr. Hinderaker presented Case SU130301, an SUP for used car sales on .34 acres

located on the northeast corner of E. Pacific Ave. and SE 9th Street within the Central Business District Three and is zoned commercial. He said the applicant had gotten previous approval for a retail strip center, but cannot move ahead with this project. The applicant had modified the request from the retail strip center to used car sales with a small retail office. The applicant has asked that the dumpster and screening be waived because he would be generating very little garbage and a neighboring property owner has given the applicant permission to use their dumpster.

Council Shotwell asked which adjacent property owner agreed to let the applicant use their dumpster. Mr. Hinderaker said the owner at 122 NE 9th Street has made this arrangement with the applicant. Mr. Shotwell pointed out that this address is on the other side of Main Street. Mr. Hinderaker said the Planning and Zoning Commission had an extensive discussion about this and strongly endorsed the waiver. He said the Environmental Services recommendation was to require the dumpster enclosure. Mr. Shotwell said the masonry dumpster enclosure might be overkill but a wood fence enclosure might work. Mayor England said if he would only have ten cars for sale and little trash he should be allowed to bag it. Council Member Shotwell said he did not want bags of trash on 9th Street. City Manager Tom Hart said that he has been discussing with staff the issue of dumpster enclosures and it is a problem in the city. He said there are many businesses which are grandfathered that have dumpsters sitting on the edge of the road with no screening.

Frank Hadidi, 4567 N. O'Connor, Irving, TX, said the site plan was approved for a strip mall about seven months ago. He said since he would not be allowed to do any detailing or repairing, he would not generate a lot of trash and it is not necessary for a huge dumpster and enclosure, but he would build it if necessary. Mayor England asked Mr. Hadidi if he had spoke with his neighbor about using his dumpster. Mr. Hadidi said he had agreed to let him use his dumpster.

Wayne Lambdin, 1209 Glade Road, Colleyville, TX, said the applicant and staff have gone back and forth with this dumpster issue. He said the applicant would not produce that much trash. He said people would be looking at cars at this location which is essentially a showroom. It would cost about \$7,000 to build the dumpster enclosure, but the applicant has agreed to built it if required for approval of this case.

Council Member Giessner asked how many employees would be at this location. Mr. Hadidi said there would be just one salesman. Mr. Giessner asked Mr. Hadidi if he could bag his trash and take it to his other business location. Mr. Hadidi replied that he could.

Council Member Swafford said he agreed with Mr. Hadidi and Mr. Lambdin about the dumpster. He asked if the applicant could put a bag out on Pacific. Mr. Shotwell said he could agree with that if Grand Prairie Disposal picks up trash on Pacific. Bill Crolley, Planning Director, said Council could approve the case with that condition.

Council Member Shotwell moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and approve Case SU130301 with the stipulation that trash be allowed in a bag which has to be placed on Pacific and blocked from view on SE 9th Street. The motion carried unanimously.

Ayes: 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

Enactment No: ORD 9510-2013

- 30** SU130303 - Specific Use Permit - 5165 Lake Ridge Parkway (City Council District 4). Approval of a Specific Use Permit for a restaurant with a drive through located on 1.21 acres. The subject property is zoned Planned Development 283B (PD-283B) District and is generally located north of W. Camp Wisdom Road, being situated on the west side of Lake Ridge Parkway. The property is located within the Lake Ridge Overlay District. The agent is Justin Brammer, LPSE, the applicant is Ryan Moore, and the owner is Mark McDowell, Camp Wisdom/Lake Ridge Pkwy LP. (On March 4, 2013, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

Mr. Hinderaker presented Case SU130303 for a Chicken Express with a drive thru within the Lake Ridge Parkway Overlay District. The proposed 3,182 sq. ft. restaurant would have 34 parking spaces (required 12). He said the applicant has exceeded the landscaping requirement and has met the masonry requirements. He said the applicant has requested an appeal to the requirement to have windows along primary facades on the side and back of the building. Mr. Hinderake concluded that this restaurant has a good design and is a good fit for this area.

Council Member Fregoe moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and approve Case SU130303. The motion carried unanimously.

Ayes: 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

Enactment No: ORD 9511-2013

- 31** Z130301 - Zoning Change - 104 W. Shady Grove Road (City Council District 1). Approval of a Zoning Change from Neighborhood Services (NS) District to General Retail (GR) District in order to allow alcohol sales in an existing convenience store located on .789 acres. The subject property is generally located west of N. Belt Line Road, being situated on the northwest corner of E. Shady Grove Road and S. Gilbert Road. The applicant is Bhim Karki and the owner is Nhon Van Tran. (On March 4, 2013, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

Mr. Hinderaker presented Case Z130301 for rezoning from Neighborhood Services to General Retail to allow alcohol sales in an existing convenience store with no driveup component. He said the applicant had not requested any variances.

Council Member Shotwell moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and approve Case Z130301. The motion carried unanimously.

Ayes: 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

Enactment No: ORD 9512-2013

- 32** TA130301 - Text Amendment - Article 15: Floodplain Management. Approval of a Text Amendment to Article 15, "Floodplain Management," of the Unified Development Code for the purpose of revising text to reference the most recent flood insurance study for Ellis County. The owner/applicant is Gabriel Johnson, City of Grand Prairie, Engineering Department. (On March 4, 2013, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

Mr. Hinderaker said this Text Amendment was to revise the UDC to include the most recent flood insurance study for Ellis County.

Council Member Fregoe moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and approve Case TA130301. The motion carried unanimously.

Ayes: 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

Enactment No: ORD 9513-2013

- 33** RA130301 - Right of Way Abandonment (City Council District 5). Approval of the right-of-way abandonment of the portion of NW Dallas Street located between NW 13th Street and the Highway 161 frontage road and the right-of-way abandonment of the alley located perpendicular to the proposed NW Dallas Street abandonment located within Block 66 and Block 56 of the Dalworth Park Addition to the City of Grand Prairie, Dallas County, Texas.

Mr. Hinderaker presented Case RA130301, a companion to the QuikTrip site plan, for the right-of-way abandonment of NW Dallas between NW 13th Street and the Hwy. 161 frontage road. He said there were two stipulations to this case: 1) the site plan and SUP (Case S120802/SU120802 QuikTrip Convenience Store) which was approved earlier in the meeting; and 2) the applicant will come back with a plat of the property to establish ingress and egress for Dallas Street.

Council Member Shotwell moved, seconded by Council Member Giessner, to close the public hearing and approve Case RA130301. The motion carried unanimously.

Ayes: 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

Enactment No: ORD 9514-2013

Items for Individual Consideration

- 34** Reconsideration of a 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 (this item was tabled at the March 5, 2013 meeting)

Mr. Hart asked Council to deny the Bowles Contract to do away with leasing employees in order to add those employees to the city payroll. He said the city is now in a financial position to do this. He said if Council denies this contract, the employees would be brought onto the city payroll during the next month.

Council Member Swafford moved, seconded by Deputy Mayor Pro Tem Jackson to deny the lease with the Bowles Group for the lease of full-time and part-time employees. The motion carried unanimously.

Ayes: 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

35

Ordinance authorizing the issuance of City of Grand Prairie, Texas General Obligation Refunding and Improvement Bonds, Series 2013, and providing for the redemption of the obligations being refunded

Council Member Swafford said the city recently sold three refunding bond issues and two new issues. The City received a rating of AAA from Standard & Poor this month and only 21 cities in Texas are rated AAA in bonds and only one of 8 for Water Revenue Bonds. The city's Financial Advisor reported that on the refunding bonds the city saved 4 basis points which is a substantial amount when paying off millions of dollars. He said the General Obligation Bonds and the Certificates of Obligation received a great interest rate because of the AAA rating. The city refinanced 3 three issues totaling almost \$34 million of bonds. Council Member Swafford said that the City's Financial Policies state that if there is a 4% savings, it would pay to refinance. On the \$34 million, the city will realize a savings of almost 12% (\$4 million). The two new money issues received an interest rate of 2.65% on \$12 million over 20 years. He commended the Finance staff and the City Manager's Office for the great job they have done.

Council Member Swafford moved, seconded by Council Member Giessner, moved to approve Item 35. The motion carried unanimously.

Ayes: 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

Enactment No: ORD 9497-2013

- 36** Ordinance authorizing the issuance of City of Grand Prairie, Texas Combination Tax and Revenue Certificates of Obligation, Series 2013
- Council Member Swafford moved, seconded by Council Member Giessner, moved to approve Item 36. The motion carried unanimously.**
- Ayes: 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
- Enactment No: ORD 9498-2013
- 37** Ordinance authorizing the issuance of City of Grand Prairie, Texas, Water Wastewater System Revenue Refunding Bonds, Series 2013, and providing for the redemption of the obligations being refunded
- Council Member Swafford moved, seconded by Council Member Giessner, moved to approve Item 37. The motion carried unanimously.**
- Ayes: 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
- Enactment No: ORD 9499-2013
- 38** Ordinance Authorizing Issuance of City of Grand Prairie, Texas, Sales Tax Revenue Refunding Bonds, Series 2013, and providing for the redemption of the obligations being refunded
- Council Member Swafford moved, seconded by Council Member Giessner, moved to approve Item 38. The motion carried unanimously.**
- Ayes: 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
- Enactment No: ORD 9500-2013
- 39** Ordinance amending the FY 2012/2013 Capital Improvements Projects Budget for the Dalworth Recreation Center Expansion and Improvements Project; and Amendment No. 1 to the Construction Manager at Risk Contract with Pete Durant and Associates setting the Guaranteed Maximum Price in the amount of \$3,507,148
- Rick Herold, Parks and Recreation Director, asked Council to pass an ordinance for a construction manager at risk agreement. He said this approach worked well for the Bowles Recreation Center and the same team is being recommended for the Dalworth project. The project is being funded by the Grand Prairie Sports Corporation and city funds. Mayor England said the Dalworth community is very anxious to get the new recreation center built. Council Member Shotwell stated that*

Council Member Fregoe worked for many years to get this project started while this was part of his district and he deserved a pat on the back for bringing it to fruition.

Council Member Fregoe moved, seconded by Deputy Mayor Pro Tem Jackson, to approve Item 39. The motion carried unanimously.

Ayes: 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

Citizen Comments

Nancy Singleterry, 221 Wright Blvd., stated she would like to see Shady Grove Road repaired from Beltline to Gilbert Road. She added that she would also like to see more police in her area. She stated her displeasure with the new fire department reorganization and she felt her area would not get the level of service they are getting now.

Gloria Oliver, 322 Wright Blvd., addressed Council regarding the Fire Department's plan to remove equipment from FS8. She said the plan is a threat to the population in the community and the industrial district. She said the entertainment area off Beltline is also served by that fire station. She said it is being proposed to replace the ladder truck with a Quint. Ms. Oliver said the new proposal is an endangerment to the number of people occupying that area. One quint and one permanent ambulance is proposed to serve all of this area and she said this is not logical. She said they were told that the industrial district has sprinkler systems, but they also have gas mains. Ms. Oliver said it did not seem that this one engine is sufficient. She said some people of Bear Creek are concerned about not being a neighborhood anymore but a diversified community. Ms. Oliver asked the City Manager if other communities in Grand Prairie have been advised of these plans. Mr. Hart said there was no public notice; it is an operational plan which will take place over a year. He said he was excited about the plan and the area should experience better response times under this plan. Mr. Hart asked Chief Fite how many firefighter are presently responding to a house fire. Chief Fite stated there would be 15, but under the new plan there will be 21. Mr. Hart said this reorganization will let the department more effectively use their equipment. This will be the same as when FS10 is built in the south part of the city which will open with a Quint and may not open with an ambulance on day one. Mr. Hart said this is a well thought out plan and the Chief has discussed this with his management staff and overwhelmingly they feel it is the best plan for the city. Chief Fite has built a system that will collectively bring in resources from multiple stations and is working with surrounding departments to strengthen mutual aid. Ms. Oliver said she felt Mr. Hart was just speaking about Bear Creek and not the larger heavily populated area that surrounds it. He said that the plan is part of an operational system that will be coming in with more resources from multiple stations and increased manpower than would have been available prior to implementation of the plan. He said that is why the city conducted a nation-wide search to bring in a chief that would make this department efficient and provide the best delivery of services possible. Mr. Hart suggested that Ms. Oliver sit down with Chief Fite and look at maps and discuss the reorganization in detail.

Anthony Bond, 4109 W. Northgate, #821, Irving, TX, said he was the founder of the Irving NAACP and the Bear Creek Development Corporation. He thanked the staff who came out to speak with their community regarding the reorganization of the Fire Department. He said he felt that was a problem inside the fire department. He said his friend, Kenneth Walker Herman, passed away January 12, 2013. He said that

despite what the City Manager said, there is a reduction in coverage. In the last week at Ms. Singleterry's home a man fell and hit his head. The firemen arrived in a fire truck but the man was unconscious and paramedics could not do anything; the man needed an ambulance. The city dispatched an ambulance from Joe Pool Lake but there was a reserve ambulance sitting at Station 8. He said this is putting fire fighters in a bad situation. Mr. Bond said that he had heard from Grand Prairie firemen that taking the ladder truck away from FS8 will reduce the amount of protection if there is a big fire in the industrial area. He said the Fire Chief said the ladder truck made 267 calls in the last couple of years, but he said his data showed there were over 400 calls in last two years.

Mr. Hart said the reorganization adds another ambulance to FS8 and it puts two additional ambulances on the streets.

Council Member Swafford said the South Grand Prairie High School boys basketball team went to Austin to play in the State Championship and won Friday in the semi-finals and lost the State championship on the following night. He said he has invited them to the April 2 Council meeting for recognition.

Council Member Shotwell stated that last Saturday James Pengelly, husband of the former Municipal Court Director, passed away. He said Mr. Pengelly was a charter member of the Optimist Club and had brought Santa Claus to many Grand Prairie children.

Deputy Mayor Pro Tem Jackson said that March 20 will be the 104th anniversary of the incorporation of the city.

Adjournment

Mayor England adjourned the meeting at 8:45 p.m.

The foregoing minutes were approved at the April 2, 2013 meeting.

Catherine E. DiMaggio, City Secretary