



City of Grand Prairie

City Hall
317 College Street
Grand Prairie, Texas

Minutes - Final

City Council

Tuesday, December 13, 2016

4:30 PM

City Hall - Briefing Room
317 College Street

Call to Order

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

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

Staff Presentations

- 1 Emergency Management - "A" Team Approach - Presented by Chase Wheeler

Chase Wheeler, Emergency Management Coordinator, stated that the Big X full scale emergency exercise was recently held with 32 sites (one in Grand Prairie) in North Texas and over 3,000 participants. Mr. Wheeler went over grants that the department has received or are applying for. He said the city is receiving \$601,500 in actual funding or equipment. The Outdoor Warning Siren System can auto activate with wind sensor data.

Mr. Wheeler said that an estimated \$9 million in flood losses has been reported to FEMA Flood recovery. The city can approach FEMA to get 75% of this back in reimbursement. So far, FEMA has approved \$938,000 and TML has covered \$1.2 million. Mr. Wheeler stressed that several city departments have worked together to validate the \$9 million in costs. Mr. Wheeler went over the various federal and state mandated projects. Council Member Copeland asked if the fact that Grand Prairie is the only city with the auto activated outdoor sirens had been publicized. Mr. Wheeler said he would be sending out information to realtors and homeowners.

Presented
- 2 Water/Wastewater Impact Fees - Presented by Ron McCuller, Public Works Director

Melissa Brunger, Project Manager, Freese & Nichols, stated that the current Combined Impact Fee (North Sector) is \$2,254; the maximum allowable combined impact fee is \$5,699. She stated that staff recommended keeping water impact fee the same and increase the wastewater fee by \$300 in the North Sector.

Ms. Brunger said the South Sector combined impact fee is currently \$4,875; the

maximum allowable is \$8,051. She said staff recommended a 30% increase. Ms. Brunger said the North Sector fee will be a little higher than Fort Worth and Arlington. In the South Sector, the Midlothian fee will be higher than the Grand Prairie recommended fee. City Manager Tom Hart said the north will mainly have infill tracts but the south needs to be ready for the development that will occur there.

Presented

Agenda Review

Mayor Pro Tem Clemson asked if there were any questions on Consent Agenda Items 7 through 41. Ron McCuller, Public Works Director, noted that Item 33 would set a public hearing for January 24, 2017 on impact fees. Council Member Shotwell referred to Item 27 ((landscape maintenance at AirHogs Stadium) and asked what was included for the \$37,000/month. Tom Cox, Deputy City Manager, stated this includes maintenance on the outside and inside as well as pretreatment posttreatment; fall planting; and all irrigation. Council Member Shotwell noted that amount is half of the rent for the facility.

Bill Crolley, Executive Director, referred to Item 57 (Stormwater Utility Fees) and added that these fees had been reviewed at the budget workshop and by the Finance and Government Committee and the public hearing is required prior to approval of the fees.

Mayor Pro Tem Clemson asked if there were any questions on the Public Hearing Consent Agenda Items 42 through 52. There were no questions. Ms. Clemson stated that Item 56 (Case S160904 - Site Plan for New Harmony Elementary School) would be tabled until the January 24 meeting. Mayor Jensen stated that Item 60 (six-month moratorium on permits for schools) would also need to be tabled.

Executive Session

Mayor Jensen convened a closed session at 4:53 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., to discuss Section 551.071 "Consultation with Attorney" *Harmony Public Schools v. City of Grand Prairie*; Section 551.072 "Deliberation Regarding Real Property;" Section 551.074 "Personnel Matters" - Review of City Manager; and Section 551.087 "Deliberations Regarding Economic Development Negotiations." The closed session was recessed at 6:00 p.m. and was reconvened at 7:18 p.m. The closed session was adjourned at 8:29 p.m.

Recess Meeting

Mayor Jensen recessed the meeting at 6:00 p.m.

6:30 PM Council Chambers

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

The Invocation was given by Tom Watson, Pastor of Bowles Baptist Church. The Pledge of Allegiance to the US Flag and to the Texas Flag were led by Council Member Swafford.

Presentations

- 3** Recognition of Public Health Advisory Committee Members
- Cincy Mendez, Environmental Services Manager, introduced members of the Public Health Advisory Committee. Mayor Jensen thanked the members for their service and gave each of them a city lapel pin.*
- Presented**
- 4** Presentation of Check from Cowboy Cops to Special Olympics - Presented by Chief Steve Dye
- Chief Dye presented a check in the amount of \$14,112 from the Cowboy Cops Rodeo to Special Olympics.*
- Presented**
- 5** Recognition of Ruthe Jackson Center Staff (Best of the Knot Award Winner Five Years in a Row)
- Mayor Jensen recognized Chip Nami, Ruthe Jackson Center Manager, and Cheryl Osgood for winning "The Best of the Knot" Award for the fifth year in a row.*
- Presented**
- 6** Recognition of Eagle Scout Dominic Serfano II - Presented by Mayor Jensen
- Mayor Jensen presented a certificate to Dominic Serfano II, recognizing him for achieving the Eagle Scout designation.*
- Presented**

Consent Agenda

Mayor Pro Tem Clemson moved, seconded by Council Member Thorn, to approve Items 7 through 41 on the Consent Agenda. The motion carried unanimously.

- 7** Minutes of the November 15, 2016 Meeting and the November 22, 2016 Special Meeting (Canvass of the November 8, 2016 Special Election)
- Approved on the Consent Agenda**
- 8** Contract with Garland/DBS Inc. to waterproof the exterior of the Tourist Center in the amount of \$70,127 and authorize a \$3,500 (5%) contingency for a total of \$73,627 through a national-interlocal agreement with US Communities

Approved on the Consent Agenda

- 9** Purchase of cyber security appliances and installation from Flair Data under DIR contract in the amount of \$66,676.29

Approved on the Consent Agenda

- 10** Change Order/Amendment No. 6 in the net amount of \$425,989.33 with Austin Bridge and Road, L.P. for MacArthur Paving and Drainage Improvements

Approved on the Consent Agenda

- 11** Consultant Contract with Espey Consultants, Inc. dba RPS for the Clean Water State Revolving Fund (CWSRF) 2017 Rehab Design in the amount not to exceed \$566,404.

Approved on the Consent Agenda

- 12** Purchase of two (2) 2017 Dodge Ram 5500 regular cab pickup with mechanic utility body (\$176,778), one (1) 2017 Dodge Ram 5500, regular cab pickup with Versalift bucket body (\$139,396), three (3) 2017 Chevrolet crew cab pickup (\$80,865) from Freedom Dodge and Caldwell Country for a combined total of \$397,039 through an Interlocal Agreement with Houston-Galveston Area Council (HGAC)

Approved on the Consent Agenda

- 13** Purchase and installation of multiple east side Heating Ventilation and Air Conditioning System (HVAC) units at the Development Center from Trane in the amount of \$221,846.50 with a 5% contingency of \$11,092.33, for a total cost not to exceed \$232,938.83 through a national interlocal agreement with U.S. Communities

Approved on the Consent Agenda

- 14** Award bid to Longhorn Harley-Davidson (\$87,141.24) for the purchase of four (4) Police Pursuit Vehicles (PPV) motorcycles; Freedom Dodge and Chevrolet (\$295,750) for thirteen (13) 1/2 ton pickup trucks, and, Sam Pack's Five Star Ford (\$34,266) for the purchase of one (1) 3/4 ton extended cab utility body pickup truck with ladder rack, for a combined total of \$417,157.24

Approved on the Consent Agenda

- 15** Purchase and prepayment of one replacement Fire Engine through the Buy Board price agreement from Siddons-Martin of Denton, Texas at a cost of \$662,788 after prepayment discount of \$26,303; communications equipment through HGAC price agreement from Motorola of Schaumburg, IL at a total cost of \$5,452; and related hoses, nozzles, and loose equipment at an estimated cost of \$37,260 using current city price agreement with Casco

Industries of Grand Prairie, TX and through Buy Board price agreement from Metro Fire of Houston, TX

Approved on the Consent Agenda

- 16** Lease Option - 24 South B - Timeless Hangars

Approved on the Consent Agenda

- 17** Contracts to replace the roof and heating and air conditioning system (HVAC) for the Housing and Neighborhood Services Building as follows: \$208,800 to Garland/DBS for the roof replacement through a national-interlocal agreement with US Communities, \$94,950 to Trane for the HVAC equipment and installation through a national-interlocal agreement with US Communities, \$2,750 to Entech for valve and flex line installation through a national-interlocal agreement with Buyboard, \$38,320.00 to Enviromatic Systems for reliable control installation through a national-interlocal agreement with Buyboard and authorize a 5% contingency of \$17,241 for a total project cost of \$362,061

Approved on the Consent Agenda

- 18** Purchase of one (1) Atlas Copco Air Compressor units and assembly unit from Kirby-Smith Machinery through a national inter-local agreement with BuyBoard in the amount of \$54,710

Approved on the Consent Agenda

- 19** Engineering services amendment/Change Order No. 3 with Halff Associates, Inc. to provide engineering drainage plan review services for a maximum contract amount of \$280,000

Approved on the Consent Agenda

- 20** Change Order No. 2 for the Professional Services Contract with Gerdes, Henrichson & Associates (GHA) for Architectural/Design/Engineering Services for FnG Eats/old Fire Station #1 located at 321 W. Main St. in the amount of \$53,400

Approved on the Consent Agenda

- 21** Temporary License Agreement with Verizon Wireless to install nodes on top of existing utility poles for \$750 per pole for a one year contract

Approved on the Consent Agenda

- 22** Eight-year contract for managed services and system maintenance for the city wide P25 radio system through Motorola Solutions, a sole source provider, for \$387,955.65 for year one; \$430,251.78 for year two, \$502,253.16 for year three and a 2.5% increase for years four through eight for a total of

\$4,024,515.40

Approved on the Consent Agenda

- 23** Two-year engineering contract for continued groundwater monitoring services for the Grand Prairie Landfill by Weaver Consultants Group, for a total cost of \$69,584

Approved on the Consent Agenda

- 24** Construction contract with Guerrero's Construction for Miscellaneous Drainage Improvements at Section 1-Lake Parks West Drainage Flume from Spillway to Inlet Structure at Camp Wisdom Road and Lynn Road; Section 2-Central Park Lake 1 in the total amount of \$155,750; material testing with Alliance Geotechnical Group in the amount of \$9,481.50; in-house engineering in the amount of \$7,787.50; and 5% construction contract contingency in the amount of \$7,787.50; for a total project cost of \$180,806.50

Approved on the Consent Agenda

- 25** Contract amendment No. 2 for Engineering and Surveying Services with Salcedo Group, Inc. for Oakdale Culvert Drainage Improvements in the total amount of \$11,045

Approved on the Consent Agenda

- 26** Ordinance amending the FY 2016/2017 Capital Improvement Projects Budget for Fish Creek Linear Park Extension

Approved

Enactment No: ORD 10202-2016

- 27** Award a new contract to the recommended best value contractor, Landworks, for landscape maintenance services at Airhog Stadium with an estimated annual cost of \$36,792 for one year; option to renew for (4) four additional one year periods totaling \$147,168, 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

- 28** Change Order/Amendment No. 4 with Alliance Geotechnical Group in the amount of \$52,173.88 for MacArthur Blvd Paving and Drainage Improvements material testing

Approved on the Consent Agenda

- 29** Construction Manager at Risk (CMAR) Contract with Hill & Wilkinson General Contractors for pre-construction services for expansion and renovations to Shotwell Library in the amount of \$7,500 and approve a Construction Services Fee of 6.00% to be applied to the actual approved construction costs for the Shotwell Library expansion and renovations.
- Approved on the Consent Agenda**
- 30** Professional design services contract with Komatsu Architecture in the amount of \$64,200 for design and construction administration services for Grand Prairie Human Resources Building Renovations
- Adopted**
- 31** Construction Manager at Risk (CMAR) Contract with Modern Contractors for pre-construction services for additions and renovations to the Fleet Services Service Center in the amount of \$1,000 and approve a Construction Services Fee of 2.65% to be applied to the actual approved construction costs for the Fleet Services Service Center additions and renovations
- Approved on the Consent Agenda**
- 32** Resolution approving the revised City of Grand Prairie Investment Policy to become effective upon passage and approval
- Approved**
- Enactment No: RES 4858-2016
- 33** Resolution Setting a Public Hearing on Water and Wastewater Impact fees on January 24, 2017
- Adopted**
- Enactment No: RES 4857-2016
- 34** Ordinance amending the FY 2015/2016 Employee Insurance Operating Budget by an incremental amount of \$338,439 and the Risk Management Operating Budget by an incremental amount of \$219,309 for a total amendment of \$557,748
- Adopted**
- Enactment No: ORD 10210-2016
- 35** Ordinance amending the FY 2016/2017 Capital Improvement Projects Budget; Change Order No. 3 with Flow-Line Construction, Inc. for East Main Street at the Union Pacific Railroad Bridge Drainage Improvements in the total amount of \$61,160

Adopted

Enactment No: ORD 10192-2016

- 36** Ordinance to convert 2015 and 2016 Calendar Year Section 8 Budgets to a Fiscal Year 2015-2016 Budget and to amend the original Fiscal Year 2015-2016 budget based on actual results of operations for the same fiscal period

Adopted

Enactment No: ORD 10193-2016

- 37** Ordinance amending the FY 2016/2017 Employee Insurance and Risk Management Fund Operating Budgets

Adopted

Enactment No: ORD 10207-2016

- 38** Ordinance allowing the implementation of the Texas Municipal Retirement System (TMRS) "Buyback Provision" effective December 13, 2016 for employees qualifying in accordance with TMRS records and provisions

Adopted

Enactment No: ORD 10208-2016

- 39** Ordinance amending the FY 2016/2017 Capital Improvements Projects Budget; Change Order/Amendment No. 2 with Ace Pipe Cleaning, Inc. in the amount of \$47,099.20 for wastewater replacements at various locations throughout the city

Adopted

Enactment No: ORD 10209-2016

- 40** Ordinance amending the FY 2016/2017 Capital Improvement Projects Budget; Replacement of Fire Station #9 HVAC system as follows: \$119,900 from Brandt for demo and removal of the existing system and material installation through an inter-local agreement with BuyBoard, with a 5% contingency in the amount of \$5,995, for a total project cost not to exceed \$125,895

Adopted

Enactment No: ORD 10194-2016

- 41** Ordinance amending the Police Department's authorized positions in each classification for the Fiscal Year 2017

Adopted

Enactment No: ORD 10195-2016

Public Hearing Consent Agenda

Mayor Pro Tem Clemson moved, seconded by Deputy Mayor Pro Tem Wooldridge, to close the public hearing and table Item 42 and approve Items 43 through 53 on the Public Hearing Consent Agenda. The motion carried unanimously.

- 42** SU161203 - Specific Use Permit - Move It Self Storage (City Council District 2). Consider a request to approve a Specific Use Permit to authorize the expansion and codification of an existing self-storage facility. The applicant is proposing to convert a portion of a 15,397 sq. ft. retail building to a self-storage building and add moving truck rentals to the site's overall operation. The subject property is zoned Commercial (C) District and within the SH 161 Corridor Overlay District. The property is generally located at the northwest corner of Enterprise Drive and Robinson Road and legally described as Lots 1 and 2, Block B of Enterprise Commercial Park Addition. The agent is Steve Sullivan, Sullivan Architecture, Inc., the applicant is Jay Maxwell, Move It Management, and the owner is Tracy Taylor, NSA Op, LP. (On December 5, 2016, the Planning and Zoning Commission tabled this case by a vote of 6to 0).

Tabled

- 43** SU141101A - Specific Use Permit Renewal - 1629 E Main Street (City Council District 5). Approval of a Specific Use Permit Renewal for Automotive Re-Builder and Inoperable Auto Holding Yard uses. The subject site is located at 1629 E Main St and is zoned Light Industrial (LI) District within Central Business District No. 3 (CBD 3). This property is generally located on the south side of E. Main St. and east of S.E. 16th St. The agent is Danny Moussavi and the owner is Hamid Moussavi. (On December 5, 2016, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 6-0).

Adopted

Enactment No: ORD 10196-2016

- 44** SU150802A - Specific Use Permit Renewal - 3015 Eagle Drive, STE 400 and 600 (City Council District 2). Approval of a Specific Use Permit Renewal for an auto body and paint shop. The property is addressed as 3015 Eagle Dr and is zoned Light Industrial (LI) District. The applicant is Halid Amer and the owner is Yan Wu. (On December 5, 2016, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 6-0).

Adopted

Enactment No: ORD 10197-2016

- 45** SU150803A - Specific Use Permit Renewal - 3223 E Main Street (City

Council District 5). Consider approval of a Specific Use Permit Renewal for Truck/Heavy Equipment Parking. The property is zoned Light Industrial (LI) within Central Business District 4 (CBD 4) and is addressed 3223 E Main St. The owner is Gerardo Rodriguez. (On December 5, 2016, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 6-0).

Adopted

Enactment No: ORD 10198-2016

46

SU150902A - Specific Use Permit Renewal - 1617 W Shady Grove Road (City Council District 1). Approval of a Specific Use Permit Renewal for a landscaping company, Peterman & Associates, with outside storage on 2.74 acres. The property is addressed as 1617 W. Shady Grove Rd and is zoned Light Industrial (LI) District within the SH 161 Corridor Overlay District. The property is generally located north of Trinity Blvd. and East of Roy Orr Blvd. The agent is Walter Nelson and the owner is Jon Mitchella. (On December 5, 2016, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 6-0).

Adopted

Enactment No: ORD 10199-2016

47

SU151003A - Specific Use Permit Renewal - CST Corner Store (City Council District 6). Approve a Specific Use Permit Renewal for a convenience store with gasoline sales. The 1.99-acre property, zoned Planned Development 283 (PD-283) District, is located at 5100 Lake Ridge Parkway, is within the Lake Ridge Corridor Overlay District. The applicant is John Measels, John Thomas Engineering and the owner is Kris Ramji, Victory @ Lake Ridge LLC. (On December 5, 2016, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 6-0).

Adopted

Enactment No: ORD 10200-2016

48

SU151102A - Specific Use Permit Renewal - J&E Masonry (City Council District 1). Approve a Specific Use Permit Renewal for a masonry contractor shop with outside storage. The 4.85 acre property is the proposed new headquarters for J & E Masonry. The property, zoned Light Industrial (LI) District and located within the S.H. 161 Corridor Overlay District, is addressed as 3501 Roy Orr Blvd. The property is generally located east of Roy Orr Blvd. and south of Rock Island Road. The applicant is Matt Moore, Claymoore Engineering Inc. and the owner is Clay Hunt, J&E Masonry. (On December 5, 2016, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 6-0).

Adopted

Enactment No: ORD 10201-2016

- 49** S161101 - Site Plan - Shopping Center at 510 W Pioneer Pkwy (City Council District 2). Approve a Site Plan authorizing the construction of a 15,206 square foot retail strip center on 1.68 acres. The subject property is zoned Planned Development 56 (PD-56) District and located at 510 W. Pioneer Parkway. The applicant is Edward Arshouk, MA Engineering and the owner is Scope Enterprises Inc. (On December 5, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0).

Adopted

- 50** S161201 - Site Plan - International Hydraulics Repair Shop (City Council District 5). Approve a site plan to construct and operate a new single-story, 7,700 square foot commercial building for office/trailer repair shop uses. Currently the 1.456 acre property has a 7,371 square foot office/trailer repair facility on the property. The property is generally located east of Richardson Street and approximately 690 feet south of E. Jefferson Street; more specifically at 345 Richardson Street. The property is zoned Light Industrial (LI) district and is within the Central Business District, Section 4. The agent is David Berret and the owner is Wincar Calderon. (On December 5, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0).

Adopted

- 51** S161203 - Site Plan - M-Electric (City Council District 1). Approve a site plan for an 18,000 square foot office /warehouse building on one lot on 2.126 acres. The 2.126-acre property, is generally located at the southeast corner of Roy Orr Boulevard and W. Rock Island Road (3595 Roy Orr Boulevard). The property is zoned Light Industrial (LI) District and lies within the State Highway 161 (SH-161) Overlay Corridor District. The applicant is Edward Eckart, Goodwin & Marshall and the owner is Mike Meierhofer, Meierhofer Electric, LLC. (On December 5, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0).

Adopted

- 52** SU161101/S161104 - Specific Use Permit - Pollo Regio on S Carrier Pkwy (City Council District 2). Approve a specific use permit and site plan to construct and operate a restaurant with drive-through. The 0.71-acre property, located at 3713 S. Carrier Parkway, is zoned General Retail (GR) District. The agent is C.R. Bonilla, Bonilla Group and the owner is Ricardo Camarena, Carrier Properties RC LLC. (On December 5, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0).

Christopher Bonilla, 3800 Byers Avenue, submitted a speaker card in support of this

item.

Adopted

Enactment No: ORD 10203-2016

53

SU161201/S161202 - Specific Use Permit/Site Plan - Whataburger at Belt Line & I-30 (City Council District 1). Approve a specific use permit and site plan to construct and operate a restaurant with drive-through. The 1.30-acre property, located at 1111 Beltline Road, is zoned Planned Development-217 (PD-217) District and is within the Beltline Corridor Overlay District. The agent is Kevin Hunt, Jacobs and the owner is Robert Cabel, Miami Partners, LLC. (On December 5, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0).

Steve Gravado, 26011 Tosena Loop, 78261, submitted a speaker card in support of this item.

Adopted

Enactment No: ORD 10204-2016

Public Hearing on Zoning Applications

54

SU161202 - Specific Use Permit - ES&H Outside Storage (City Council District 1). Approve a Specific Use Permit to allow for Outside Storage Uses in conjunction with a local Environmental Incident Response Business. The 11.019-acre property is located at 3404 & 3409 Gilbert Road, is zoned Light Industrial (LI) District and is within the State Highway 161 (SH-161) Corridor Overlay District. The agent is Luke Keeton, Keeton Surveying Co. and the owner is Jeremmy McEntire, ES&H of Dallas, LLC. (On December 5, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0).

Jim Hinderaker, Chief City Planner, reviewed Case SU161202, for outdoor storage of frac tanks and non-motorized equipment with wood fencing and a gravel storage yard in the SH161 Overlay District. He said the applicant would be adding an 8' cedar wood fence on Gilbert Road and 6' wood fencing along the north, west and south boundaries of the property. Mr. Hinderaker said the applicant requested an appeal to allow cedar fence on Gilbert Road which is 30' from the right-of-way. The frac tanks will be empty when stored. The applicant requested an appeal to the required concrete paved storage yard and have proposed gravel. In lieu of the required masonry fence, the applicant has requested an 8' cedar fence.

Lindsey McEntire, 3428 S. Gilbert Road, and Max Coleman, 9 Heritage Court, submitted a speaker card in support of this case.

Mayor Pro Tem Clemson moved, seconded by Deputy Mayor Pro Tem Wooldridge, to close the public hearing and approve Case SU161202. The motion carried unanimously.

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

Enactment No: ORD 10205-2016

55

SU161002/S161002 - Specific Use Permit/Site Plan - Murphy Oil (City Council District 2). Approve a specific use permit and site plan to construct and operate a convenience store with gasoline sales. The 1.04-acre property located at the southeast corner of the Arkansas Lane/State Highway-161 (SH-161) intersection, is zoned Planned Development 273A (PD-273A) District for General Retail and Commercial uses and is within the SH-161 Corridor Overlay District. The agent is Lew Richey, Lew Richey & Associates, Inc. . (On November 7, 2016, the Planning and Zoning Commission recommended denial of this request by a vote of 7-2). This case is being appealed per Article 1 Section 1.11.5.9 of the Unified Development Code.

Mr. Hinderaker reviewed Case SU161002/S161002, a one-acre portion of a ten-acre tract located in the SH161 Corridor Overlay District on the southwest corner of Arkansas and SH161. He said there will be 16 gas pumps and a 30' landscape buffer on SH161 and Arkansas with access from Arkansas and SH161. Mr. Hinderaker said the case meets all standards in place with regard to landscaping and masonry requirements and there were no appeals. On November 7, 2016 the Planning and Zoning Commission recommended denial; staff is concerned about the proliferation of gas stations along SH161.

Wayne Gibson, 200 Peach Street, El Dorado Arkansas, congratulated Council on the Epic and Ikea. He said Murphy Oil looks at sites that are conducive to development, free enterprise and traffic. Mr. Gibson said all of these were available at this location in Grand Prairie. He said other projects could go there such as a Walgreen's or Whole Foods, but this is a small site that would not fit their larger footprint. Mr. Gibson said 22% of their sites are in Texas. He requested each of the Council Members to approve.

Deputy Mayor Pro Tem Wooldridge said the company does business as USA and Express, and asked which this was. Mr. Gibson said they would be using Express. Mr. Wooldridge said he saw a footprint of Walmart and it had Murphy Oil on it. Mr. Gibson said Walmart would be using their own gas on that site. He added that they also looked at perceived safety and the police department is right across the street.

Council Member Swafford said he was not particularly opposed to a service station. He said this was in his council district and he was looking out for what is happening in this district. The test for zoning and SUP approval is highest and best use of land. He said SH161 opens up all the new development avenues and this is one of the most developable areas on SH161 and we need to be extremely careful that what we put there is what we want as the greatest thing to happen to the city. He said he could not support a service station across from Central Park and the Epic and if this is approved, there will be others who request to place a gas station there and this is not what we want on that corner.

Council Member Shotwell said he was inclined to agree with Mr. Swafford and added that he drives SH161 to I35 to Denton and going north on SH161, there are no gas

stations at other exits and this is not the best use.

Council Member Swafford moved, seconded by Council Member Shotwell, to close the public hearing and deny Case SU161002/S161002 as recommended by the Planning and Zoning Commission. The motion carried unanimously.

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

56

S160904 - Site Plan - New Harmony Elementary School (City Council District 6). Approve a site plan to construct and operate a school. The 8.98-acre property, located at 4603, 4607, and 4611 S. Carrier Parkway, is zoned PD-136C. The applicant is Joyce Stanton, DiSciullo-Terry, Stanton & Associates and the owner is Hakan Yagci, Charter School Solutions. (On November 7, 2016, the Planning and Zoning Commission recommended approval by a vote of 3-5, motion failed).

Joyce Stanton, 908 W. Main, Arlington, submitted a speaker card in support of this item.

Deputy Mayor Pro Tem Wooldridge moved, seconded by Council Member Thorn, to close the public hearing and table Case S160904 to the January 24, 2017 meeting. The motion carried unanimously.

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

Items for Individual Consideration

57

Public Hearing and an ordinance amending the Code of Ordinance, Chapter 26, "Utilities and Services" relating to fees for stormwater utilities

Bill Crolley, Executive Director, stated this was a required public hearing for stormwater utility rates. The rates were reviewed at the Budget Workshop as well as by the Finance and Government Committee. Mayor Jensen asked if there was anyone who wished to speak during the public hearing and there were no speakers.

Council Member Fregoe moved, seconded by Council Member Swafford, to close the public hearing and approve the stormwater utility rates as presented. The motion carried.

Ayes: 8 - Mayor Ron Jensen; Mayor Pro Tem Jorja Clemson; Deputy Mayor Pro Tem Jeff Wooldridge; Council Member Jeff Copeland; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Jim Swafford and Council Member Lila Thorn

Nayes: 1 - Council Member Tony Shotwell

Enactment No: ORD 10211-2016

58 City Manager's Contract

Council Member Swafford moved, seconded by Council Member Fregoe, to table the City Manager's Contract to the January 10, 2017 Council Meeting. The motion carried unanimously.

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

59 Ordinance providing for a six month moratorium on the acceptance of any development related applications or permits for emergency care clinics and outpatient care clinics

Mr. Crolley stated that staff would review the categories for health care clinics during the six months and bring back recommendations to Council. Council Member Shotwell asked about ancillary uses rather than primary uses. Mr. Crolley said this would only apply to primary uses.

Council Member Swafford moved, seconded by Council Member Fregoe, to adopt an ordinance creating a six-month moratorium on applications or permits for emergency care clinics and outpatient care clinics. The motion carried unanimously.

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

Enactment No: ORD 10206-2016

60 Ordinance providing for a six month moratorium on the acceptance of any development related applications or permits for schools

Deputy Mayor Pro Tem Wooldridge moved, seconded by Council Member Thorn, to table consideration of a six-month moratorium on acceptance of any development related applications or permits for schools. The motion carried unanimously.

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

Citizen Comments

There were no citizen comments.

Adjournment

Mayor Jensen recessed the meeting at 7:18 p.m. and reconvened the executive session. Mayor Jensen adjourned the executive session at 8:29 p.m. Mayor Jensen adjourned the meeting at 8:32 p.m.

The foregoing minutes were approved at the January 10, 2017 meeting.

Catherine E. DiMaggio, City Secretary