



Minutes - Final
City Council

Tuesday, November 2, 2010

4:30 PM

Council Briefing Room

Call to Order

Mayor England called the meeting to order at 4:40 p.m.

Present 9 -

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

Staff Presentations

- 1 Forum/Crossland Paving, Drainage and Utility Improvements - Presented by Romin Khavari, City Engineer

Romin Khavari, City Engineer, asked that this presentation be postponed to the November 16, 2010 meeting and that Item 7 on the Consent Agenda (Construction contract with Jackson Construction for Forum/Crossland Road) be tabled until the November 16, 2010 meeting.

- 2 Interlocal Agreement with Tarrant County - Annexation of Two Sections of Duncan Perry Road - Presented by Ron McCuller, Public Works Director

Ron McCuller, Public Works Director stated that two sections of Duncan Perry Road have been maintained by Grand Prairie for many years, but staff had recently become aware that it belongs to Tarrant County. The first section is from Tarrant Road south to Sweetwater. Staff met with County Commissioner VanRavenswaay and it was determined that Grand Prairie was supposed to have annexed this section in the past; the proposed agreement will accomplish that. The second portion is January Lane to Dalworth and the city has agreed if the County overlayed the road, the city would annex it. Mr. McCuller said the city has agreed to have them pay for the materials and city would overlay the road.

- 3 Uptown Area Discussion

Bill Crolley, Planning Director, gave an update on the sidewalk on the south side of Main Street from Second Street to the Jack in the Box at Center Street and the parking lot at the former Taco Bell and adjacent to Hendrix building. He said the sidewalk piece is part of Governor's Award money and the projects must go through TXDOT and built to their standards and they must bid the project. The deadline for the TXDOT letting schedule was missed because these buildings were used for Indie Fest. Staff should receive bids at the end of the week to tear down the Taco Bell and will be getting bids on the Hendrix Building. Mr. Crolley said staff proposed to go through TXDOT for the sidewalk but would use the same contractor for the Taco Bell

and Hendrix Building parking lot. Deputy Mayor Pro Tem Fregoe asked when there would be a crosswalk to get from one side of the street to the other. Mr. Crolley said that at Main and Second Street there will be a crosswalk with a pedestrian crossing (and it will have a pedestrian flasher). Council Member Swafford said bidding for the parking lot would take place after the building is torn down, and staff had talked about a fence along Main Street to direct people to the crosswalk. Council Member Hepworth asked if staff proposed to keep the Hendrix Building. Mr. Crolley said it would be torn down and said he would be bringing a contract back to council if the bid is over \$50,000 to tear it down. Mr. Swafford pointed out the plan of action proposed by Mr. Hart: 1) Staff has until the end of year to sell the Hendrix Building; 2) Prepare plans to demolish Hendrix Building by 12/31/2010 (Alt. 1 - Back of Building; Alt. 2 - Entire building); 3) Plans for parking lot to be completed in time to bid at same time State is bidding the sidewalk project in the spring (Alt. 1 plan if just back of building taken down; Alt. 2. if entire building is taken down); 4) No additional funds spent on Hendrix Building; 5) tear down Taco Bell in November; 6) Start the building façade program.

Council Member Jensen said he did not want to spend any more money on the Hendrix Building but the building might be a better asset to leave for a while rather than a parking lot. He said Roanoke enticed Babe's to their downtown and now there are so many restaurants you can not find parking. He asked staff to come back to Council before it gets torn down. Council Member Hepworth said he agreed and thought it would be better than having it torn down and he added that the Council Development Committee recommended to keep it. Council Member Giessner said he had a concern of not using the building because of safety issues and to make sure if it sells that it is closed and funded by the end of the year. Mayor England stated if the building is put up for sale, we need to make sure the use is something we want. Don Postell, City Attorney, said we are required to bid it out. Council Member Shotwell said Council had previously discussed this and agreed to put in \$8,000 to tear the back part of the building down and then build a wall, however, it can not be done for \$8,000. Mr. Shotwell said he had asked for certain dates because this holds up the rest of the downtown project. Mayor England said the proposed timeframe is new for most of the Council and they need time to think about this. Mayor Pro Tem Jackson said she did not want this to interfere with the sidewalk project. Deputy City Manager Tom Cox said staff needs a plan so they do not get caught in the middle. He said the length of the fence and the sidewalk will be incorporated in the project. Mr. Jensen said Council had been told that the Hendrix Building would not affect the sidewalk. Mr. Cox said the Hendrix Building would not affect the sidewalk. Mr. Swafford said there could not be an add alternate until a decision is made on the Hendrix Building. Mr. Shotwell asked to put a date on the calendar for a decision. He added there are many other empty buildings and the owners are wondering if the Hendrix Building would be sold or rented for less money than they could charge. Mr. Crolley said we need to get sidewalk plans to TXDOT to get it on the April letting. Mayor Pro Tem Jackson noted that historically we do not need to favor that building.

Bob O'Neal, Economic Development Director, gave an update on the façade program. He said the Iglesia Church (next to the Jack in the Box) will be the test building for the new facade program. He said staff will come back to Council in December with a contractor to do this is a test building. If that works out, staff will come back with contracts from each building owner to finish blocks at a time (the first block will be the Uptown block on both sides). Mr. Shotwell said Rita Heep had made sure that building owners are aware of the buildings that are being sold and the façade program has been a good selling point.

Agenda Review

Ms. Doll, Deputy City Manager, asked that Council table Item 7 on the Consent Agenda (contract with Jackson Construction for Forum/Crossland Road). Council Member Thorn commented that ice cream pushcarts already exist (ref: Item 16 (modification to code to amend the section on mobile food vendors). Mr. Shotwell stated that though the pushcarts exist they are currently doing so illegally and this amendment will legalize them.

Executive Session

An executive session was not held.

Recess Meeting

Mayor England recessed the meeting at 5:27 p.m. and reconvened the meeting at 6:30 p.m.

**The Invocation was given by Mayor Pro Tem Jackson
The Pledge of Allegiance to US Flag and to the Texas Flag was led by
Council Member Bill Thorn**

Presentations

- 4 Employee of the Month - Police Officer Lena Aguayo
- Mike Shaw, Police Chief, introduced Lena Aguayo as Employee of the Month for November. Anna Doll, Deputy City Manager, presented Ms. Aguayo with a city shirt and clock and thanked her for her dedication to the city.*
- 5 Lifesaving Award - Presented to William Pursley
- Mayor England presented Mr. William Pursley with a lifesaving award for his heroic lifesaving efforts on October 21, 2010 at the Kroger parking lot at 514. S. Carrier Pkwy. A 2-year old child closed a window on her twin sister's neck; when the children's mother realized what had happened, she rolled the window down, removed the child and screamed for help. Mr. Pursley heard her screams and ran to the vehicle and administered CPR which restored her breathing.*

Consent Agenda

- 6 Minutes of the August 26, 2010 Budget Worksession and the October 19, 2010 Meeting
- Mayor Pro Tem Jackson moved, seconded by Deputy Mayor Pro Tem Fregoe, to approve Item 6, table Item 7, and approve Items 8 through 16 on the Consent Agenda. The motion carried by a unanimous vote.**
- 7 Construction Contract with Jackson Construction for Forum/Crossland Road

Paving, Drainage, and Water Improvements; and Wastewater Improvements in Robinson Road and Along West Side of SH 161 between Hopi Lane and Mayfield Road, with a base bid of \$3,491,357.25 and added alternate bid of \$573,163.20 for the total amount of \$4,064,520.45, 5% contingency of \$203,226 and materials testing and in-house engineering of \$362,758 for a total of \$4,630,504

This item was tabled on the Consent Agenda.

- 8 Change Order Amendment No. 3 in the amount of \$46,525 to the Engineering Consultant's Contract with PBS&J, Inc. for Lynn Creek Environmental Impact Study

This item was Approved on the Consent Agenda

- 9 Price Agreement for Traffic Paint & Glass Traffic Beads
a. One year price agreement with Ennis Paint, Inc.
b. Allstates Coating Co. as secondary vendor for traffic paint and Swarco Reflex, Inc. as the secondary vendor for glass traffic beads; and
c. Four one-year renewal options

This item was Approved on the Consent Agenda

- 10 Change Order No. 1 with Texas Standard in the amount of \$19,287.50 for Drainage Improvements at various locations

This item was Approved on the Consent Agenda

- 11 Interlocal Agreement with Tarrant County Providing for the Upgrade and Annexation of Two Sections of Duncan Perry Road

This item was Approved on the Consent Agenda

- 12 Change Order No. 3 with Tri-Tech Construction Inc. in the negative amount of (\$109,547) for Storm Drain Installation, Water and Wastewater Replacements for Sandra Lane

This item was Approved on the Consent Agenda

- 13 Resolution for the Trinity Railway Express (TRE) three- year Cost Sharing Amendment with North Central Texas Council of Governments to pay a portion of the operating cost of the Trinity Railway Express in an annual amount of \$69,764.

This item was Adopted

Enactment No: RES 4465-2010

- 14 Resolution reappointing Associate Judge Chad Owen Bull as Associate Judge at the Grand Prairie Municipal Court for a term of two years

This item was Adopted

Enactment No: RES 4466-2010

- 15 Ordinance amending Schedule III of the Traffic Register, establishing a new reduced speed limit school zone on Pioneer Parkway (State Spur 303).

This item was Adopted

Enactment No: ORD 9119-2010

- 16 Modifications to the Code of Ordinances, Chapter 13, "Health and Sanitation," Article II "Food and Food Establishments" and Article XII "Mobile Food Vendors"

This item was Adopted

Enactment No: ORD 9120-2010

Citizen Comments

Mr. Don Smarto, 416 Laura Lane, President of the Grand Prairie Library Board, read the following letter to the Mayor and Council Members:

"I am writing on behalf of the Grand Prairie Library Board. I am in my third term of service on the board and currently have the privilege of serving as the Chairperson. We all serve because we value the Grand Prairie Library.

In a recent discussion with Ms. Corine Hill (Acting Chief Librarian of the Dallas Public Library) she affirmed the need for professionally educated and trained librarians and was optimistic that budgetary cutbacks would be reversed within a year and their library will be a key community asset for the future.

The recent tax increase on September 22, 2010 by the City of Dallas Board affirmed Ms. Hill's optimism. It was in part targeted to preserve essential services including the library system, restoring to 2008 funding levels.

As a leader, you know that it is very important to separate facts from opinions. Although there are general myths in our society about the demise of public libraries and the rapid decline of library use, those are falsehoods when the facts are checked we have:

First, the use of the Grand Prairie Main Library and the two branches; Bowles and Warmack are at all time high. As an example, in 2009 there were 37,254 reference questions compared to 21,618 in 2005. Circulation has never been higher with 440,922 books and materials used compared to 376,464 in 2005.

Beyond the numbers is the important reality that our library services every person in our community from small children to seniors. While the difficult economy has resulted in reduced hours, services, and staff, the demands for information has increased.

For some of our citizens, the library is the only place where they have access to a computer. Precisely because of the economy, many come to the library for job searches, and information about job skills.

As a writer, I can testify that my ten published books are not available on the Internet. Written for special groups, aside from purchasing them, the library is their only source.

Classic books are available to children in the library whether working on a school assignment, stimulating their imaginations, or listening to a volunteer read a book to them during Story Time. The library is not just about books. A variety of special guests present programs for our children, too.

When we look at basic American values, the community library stands beside the church, the school, and the hospital as historical traditions and a measure of the health of our community.

The library is about freedom of thought, which we cherish in America. Every dictatorship begins with a book burning, a restrictive collection, or library closings.

We ask the Grand Prairie City Council to affirm the Grand Prairie Library and the need for specially trained and educated library professionals. It was once said, "You don't know what you have until you lose it."

Thank you for your consideration."

Signed by: Don Smarto, Chairperson, and the Grand Prairie Library Board Members

Adjournment

Mayor England adjourned the meeting at 6:55 p.m.

These minutes were approved at the November 16, 2010 Council Meeting.

Catherine E. DiMaggio, City Secretary