



# City of Grand Prairie

City Hall  
317 College Street  
Grand Prairie, Texas

## Minutes - Final

### City Council

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Tuesday, April 16, 2019

5:00 PM

City Hall - Briefing Room  
317 College Street

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#### Call to Order

*Cheryl DeLeon, Parks, Arts and Recreation Manager, distributed packets for Main Street Fest and explained how the VIP pass and tickets work.*

**Mayor Pro Tem Copeland called the meeting to order at 5:03 p.m.**

**Present** 7 - Mayor Pro Tem Jeff Copeland  
Deputy Mayor Pro Tem Greg Giessner  
Council Member Mike Del Bosque  
Council Member Richard Fregoe  
Council Member Cole Humphreys  
Council Member Jim Swafford  
Council Member Jeff Wooldridge

**Absent** 2 - Mayor Ron Jensen  
Council Member Jorja Clemson

#### Agenda Review

*Greg Giesser, Deputy Mayor Pro Tem, asked if Council had any questions on Consent Agenda Items 2-11. He explained that Item 6 for an amendment to airport hangar leases was to decrease rent on those hangars that were damaged and unusable during the recent storm. Once the hangars are repaired, the rent will go back to current rates. Council Member Humphreys noted that this item had not been brought to the Public Safety, Health and Environment Committee. Megan Mahan, City Attorney, stated staff did not have time to go to all council committees.*

*Deputy Mayor Pro Tem Giessner stated that Item 12 on the Public Hearing Consent Agenda was withdrawn and Items 13 and 14 would be tabled.*

#### Executive Session

*Deputy Mayor Pro Tem Copeland convened a closed session at 5:11 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., Section 551.071 "Consultation with Attorney" and Section 551.087 "Deliberations Regarding Economic Development Negotiations." Deputy Mayor Pro Tem Copeland adjourned the closed session at 5:23 p.m.*

#### Recess Meeting

**Deputy Mayor Pro Tem Copeland recessed the meeting at 5:23 p.m.**

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### 6:30 PM Council Chambers

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Deputy Mayor Pro Tem Copeland reconvened the meeting at 6:30 p.m.

**Pastor Roderick Williams, Infinite House of Praise, gave the invocation. The Pledge of Allegiance to the US Flag and to the Texas Flag were led by Council Member Swafford.**

#### **Presentations**

- 1** Child Abuse Prevention Month Proclamation - Presented to Shellie McMillon, Director of Community Engagement, Alliance for Children
- Council Member Jeff Wooldridge read the proclamation and Mayor Pro Tem Copeland presented the proclamation to the Community Educator for Alliance for Children.*
- Presented**

### **Consent Agenda**

**Deputy Mayor Pro Tem Giessner moved, seconded by Council Member Fregoe, to approve Items 2 through 11 on the Consent Agenda. The motion carried unanimously.**

- 2** Minutes of the April 2, 2019 Meeting
- Approved on the Consent Agenda**
- 3** Price agreement for clearinghouse services and mailings implementation services from ZirMed Inc. dba Waystar Health in the annual amount not to exceed \$16,000 (approximately \$85,000 for five years) for a one-year initial term with the option to renew annually; 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 (renewal options beyond the five specified can be authorized however will require additional City Council approval)
- Approved on the Consent Agenda**
- 4** Price agreement for grounds maintenance for various City well sites from Weldon's Lawn and Tree in an amount not to exceed \$30,000 annually; this agreement will be for one year with the option to renew for four additional one-year periods totaling \$150,000, if all extensions are exercised; and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to

\$50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms

**Approved on the Consent Agenda**

- 5** Price agreement for traffic signal heads from Consolidated Traffic, Inc. (up to \$77,926 annually) for one year with the option to renew for four additional one year periods totaling \$389,630 if all extensions are exercised; and authorize 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 term(s)

**Approved on the Consent Agenda**

- 6** Authorize the City Manager to enter into an amendment to airport hangar leases to provide a temporary monthly rent abatement of 25% for tenants with missing or inoperable hangar doors resulting from the storm event of March 13, 2019

**Approved on the Consent Agenda**

- 7** Authorize the City Manager to accept a grant from the Texas Department of State Health Services (DSHS), Tobacco Prevention and Control Branch Tobacco Enforcement Program, through an Interlocal Agreement with Texas State University up to the amount of \$31,000 for the purpose of compliance-related activities of tobacco retailers

**Approved on the Consent Agenda**

- 8** Authorize Firehouse Gastro Park, LLC to Allow Operation of Mobile Hot Trucks at 321 Main Street

**Approved on the Consent Agenda**

- 9** Dedication of a water utility easement across City-owned property at Southeast Fourth Street which is required for installation of City water mains; authorize the City Manager or his designee to execute the required easements for recording in the Dallas County Official Public Records

**Approved on the Consent Agenda**

- 10** Ratification of the Legistar software maintenance and support agreement, between 2010 and 2018, with MCCi, LLC for software maintenance and support for the City's legislative agenda program in the annual amount not to exceed \$18,679.50 and authorize the City Manager to execute up to five additional annual renewal options (approximately \$93,397.50 for five years) for this agreement with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original contract

value so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms (renewal options beyond the five specified can be authorized, however, will require additional City Council approval)

**Approved on the Consent Agenda**

**11**

Contract with OverDrive, Inc. for two years with four two-year extensions for digital e-Books through their OverDrive platform in an amount not to exceed \$150,000 annually (\$300,000 per contracting period;\$1,500,000 cumulatively); 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**

### **Public Hearing Consent Agenda**

**Deputy Mayor Pro Tem Giessner moved, seconded by Council Member Swafford, to close the public hearings, note that Item 12 has been withdrawn, and table Items 13 and 14 on the Public Hearing Consent Agenda. The motion carried unanimously.**

**12**

Z170604A/CP170601A - Planned Development Request - Brighton Estates Phase 1B (City Council District 4). Amendments to the Planned Development District standards and Concept Plan for Brighton Estates Phase 1B. Tracts 5 and 5A of E. Roland Survey, Abstract No. 1313, City of Grand Prairie, Tarrant County, Texas, zoned PD-361, and located on the northwest corner of S. Forum Drive and S. Great Southwest Pkwy. The applicant is Rich Darragh, Skorburg Company and the owner is Dan Luby, ECOM Real Estate Mgmt.

**Withdrawn**

**Withdrawn**

**13**

S190104 - Site Plan - Certifit (City Council District 5). Site Plan for Certifit, an approximately 180,800 square feet Warehouse and Distribution Facility. Tract 7.12, James McLaughlin Survey, Abstract No. 846, City of Grand Prairie, Dallas County, Texas, approximately 10.7 acres zoned LI, Light Industrial District within IH-30 Corridor Overlay, generally located southwest of eastbound Interstate 30 Service Road and Grand Lakes Blvd, addressed as 4000 E. IH 30, Grand Prairie, Texas. The agent is Sarah Beth White, Kimley-Horn and Associates, Inc. and the owner is Don Ostler, DMO Properties DAL, LLC. (On April 1, 2019, the Planning and Zoning Commission tabled this case by a vote of 7-0).

**Tabled**

**14**

Z190302/CP190302 - Zoning Change/Concept Plan - Kalterra Mixed Use Development, Highway 161 & Forum Drive (City Council District 2). Zoning

Change and Concept Plan for a horizontal mixed use development on 55.5 acres, including Commercial, Retail, Multi-Family, and Single Family Townhouse uses, and allowing for two restaurants with drive-through, two hotels, and a bank with a drive-through by right. Tract 7, William Reed Survey, Abstract No. 1193, and Tract 1.1, Frederick Dohme Survey, Abstract No. 395, City of Grand Prairie, Dallas County, Texas, zoned PD-331, within the SH-161 Overlay District, and generally located on the northwest corner of S Forum Dr. and SH-161. The applicant is Clint Nolen and the owner is Sunny Sheu. (On April 1, 2019, the Planning and Zoning Commission tabled this case by a vote of 7-0).

**Tabled**

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

**15**

SU190403 - Specific Use Permit - Batch Plant, 1199 Interstate 20 (City Council District 2). Specific Use Permit for a concrete batch plant (Fluor) and heavy equipment and storage yard on a portion of a 41.3 acre undeveloped tract. 41.3 acre tract out of the J.W.E. Wallace Survey, Abstract No. 1517 and B.E. Smith Survey, Abstract No. 1377, City of Grand Prairie, Dallas County, Texas. The southeast section of the tract for batch plant and heavy equipment and storage yard is zoned Planned Development-17 (PD-17) District and lies within the Interstate Hwy 20 (IH-20) Overlay Corridor District. The applicant is Lance Madden, Fluor Heavy Civil and the owner is Jon Krabbenschmidt. (The City Council tabled this case until the April 16, 2019 Council Meeting.)

*David Jones, Chief City Planner, reviewed Case SU190403. He stated the Fluor has asked for a 2-year extension on their permit for a batch plant. Mr. Jones staff and Fluor had met after the City Council tabled the item and Fluor has commitment that they will vacate after two years and only supply two contracts (SH360 widening and I-20 frontage road projects). The Development Review Committee recommended approval. Council Member Swafford said the city needed to work with Fluor because he did not want to slow down these projects. He asked why their were additional night-time hours being added. Mr. Jones said that was in case they need to do a night pour during summer hours. Lance Madden, 1199 E. I-20, was present to answer questions. Douglas Nall, 1199 Beltline Road, and John Stone, 1199 E. I-20, submitted speaker cards in support of this item.*

**Council Member Swafford moved, seconded by Council Member Fregoe, to close the public hearing and approve Case SU190403 as submitted by staff for a two-year extension. The motion carried unanimously.**

**Ayes:** 7 - Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10620-2019

**16**

Z190402 - Zoning Change - 611 Dalway, Residential Dwelling (City Council District 1). A request to change the zoning from "NS" Neighborhood Service to

"SF-4" Single-Family Four Residential District to allow for a residential dwelling on a vacant lot. Lot 1, Block C, Jefferson Heights Subdivision, City of Grand Prairie, Tarrant County, Texas, Zoned "NS", within "CBD 1" and generally located at the northeast intersection of W E Roberts Street and Dalway Drive. The owner is Miguel Lopez. (On April 1, 2019, the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

*Mr. Jones reviewed Case Z190402 for a one single-family unit on .1606 acres. He said the existing commercial zoning to the west would remain commercial. Variances requested include a 205 sq. ft. lot variance and a 5 ft. variance for lot depth. Mr. Jones said staff supported the variances.*

*Council Member Humphreys asked Mr. Jones about the difference between SF-3 and SF4. Mr. Jones said the main differences are lot sizes and house sizes.*

*Miguel Lopez, 3728 Shady Hollow Lane, submitted a speaker card in support of this case.*

**Deputy Mayor Pro Tem Giessner moved, seconded by Council Member Wooldridge, to close the public hearing and approve Case Z190402 as recommended by staff. The motion carried unanimously.**

**Ayes:** 7 - Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10621-2019

17

SU190203 - Specific Use Permit - 2155 S. Great Southwest Parkway, Event Center (City Council District 1). Specific Use Permit request to operate a Special Events Center in a 6,400 square building (former Stepper's). GSID South, Lot 11A3, City of Grand Prairie, Tarrant County, Texas. 1.5 acre lot zoned LI, Light Industrial District within the Great Southwest Industrial (GSW) Corridor Overlay, generally located at the northeast corner of S. Great Southwest Parkway and W. Pioneer Parkway. The applicant is Cong Nguyen and the owner is Tom Nguyen. (On April 1, 2019, the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

*Mr. Jones reviewed Case SU190203, for an event center in an existing center with 6,400 sq. ft. which had been used as a club. He said there was sufficient parking on 1.5 acres. Staff and the Planning and Zoning Commission have differences in their recommendations. Mr. Jones said this will be a BYOB with hours of operation until 1:00 a.m. He said the last few event centers approved had midnight as the cutoff and the Development Review Committee recommended the midnight closing time and also the removal of the existing pole sign. Gatherings under 150 persons must utilize a commissioned security officer; 150 or greater at which alcohol is served must have a Grand Prairie Police Officer for security. The Planning and Zoning Commission wanted all gatherings to have a police officer and over 150 to have two police officers. The Planning and Zoning Commission recommended a 6-month SUP review period and that the non-conforming pole sign could remain if other conditions were met.*

*Mayor Pro Tem Copeland expressed concern with BYOB about alcohol in the parking*

lot as well as inside. Mr. Jones said that is why a police officer would be the recommendation. Deputy Mayor Pro Tem Giessner asked how we would know if they would have alcohol. Mr. Jones replied that was a concern. Deputy Mayor Pro Tem Giessner asked if the Planning and Zoning Commission recommended that they be allowed to keep the pole sign. Mr. Jones replied that they did but the sign does not conform to current requirements. Deputy Mayor Pro Tem Giessner asked if the Planning and Zoning Commission approved the case with a uniformed licensed security officer. Mr. Jones said the Planning and Zoning Commission were most comfortable with a Grand Prairie Police officer, but changed to a commissioned security officer.

Council Member Humphreys said he was concerned about drinking in the parking lot and how that could be monitored. Mr. Jones said that would be complaint driven because staff would have no idea who would be bringing alcohol or how much. Mayor Pro Tem Copeland said events over 150 trigger a police officer for security, so would they be required to notify the city if a gathering is over 150. Mr. Jones said there was nothing in the ordinance that requires them to notify the city.

Council Member Swafford said he had a discussion this week concerning event centers and a request will be coming from his district for one. He asked about getting some standardization for event centers and he would like staff to follow up on that. Mr. Jones replied that staff was working on event center standards.

Tommy Nguyen, 417 Waterford Lane, stated he would hire one police officer for events of 0-150 attendees and would hire two officers for events with over 150 attendees. Event hours would also stop at midnight, but the police officer(s) would stay until 1:00 a.m. Mayor Pro Tem Copeland asked if the admission charge would be per head. Mr. Nguyen said he would rent tables. Mayor Pro Tem Copeland asked about the pole sign. Mr. Nguyen said he would like to keep the pole sign as recommended by the Planning and Zoning Commission. He said he owned the property adjacent to this site.

**Deputy Mayor Pro Tem Giessner moved, seconded by Council Member Del Bosque, to close the public hearing and approve Case SU190203 and require one police officer for gatherings of 1-150 and two police officers for gatherings over 150; applicant may retain pole sign; and require a review in six months. The motion carried.**

**Ayes:** 6 - Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Jim Swafford and Council Member Jeff Wooldridge

**Nays:** 1 - Council Member Cole Humphreys

Enactment No: ORD 10622-2019

**18**

SU190401/S190401 - Specific Use Permit/Site Plan - 7-Eleven, 1020 Mayfield Road (City Council District 2). Specific Use Permit and Site Plan for a Convenience Store with Gasoline Sales on 1.043 acres. Lot 4, Block A, Epic East Towne Crossing Phase 1, City of Grand Prairie, Dallas County, Texas, zoned PD-364, within the SH-161 Overlay District, and addressed as 1020 Mayfield Rd. The agent is Kyle Vrla, Dynamic Engineering, the applicant is Marley Phillips, Creighton Development, and the owner is Mark Davis, Epic East Towne Crossing, L.P. (On April 1, 2019, the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

*Mr. Jones reviewed Case SU190401/S190401 for a 7-Eleven at Epic East within the SH161 Corridor Overlay. The store will be 3,061 sq. ft with 16 pumps. Mr. Jones said the applicant had not requested any variances to development standards. The case meets Appendix F standards and the DRC and Planning and Zoning Commission recommended approval.*

*Council Member Wooldridge asked if there was room for something to be placed on the corner. Mr. Jones said that site is proposed for a retail building with two rows of parking. There is a Raising Canes on the east side. Deputy Mayor Pro Tem Giessner asked how far this was from the 7-Eleven at Pioneer and SH161. Mr. Jones said it was approximately 1 ½ to 2 miles.*

*Mark Davis, 16000 Dallas Parkway, Suite 300, Dallas, submitted a speaker card in support of this case.*

*Council Member Wooldridge said he saw a new concept 7-Eleven on TV news and would like to encourage them to incorporate some of the new items mentioned in this new concept. Kyle Vrla, 1301 Central Expressway South, Suite 210, Allen, stated the proposed building is one of the nicest facilities that 7-Eleven has done. New internal layout mentioned by Council Member Wooldridge is a test facility to do market research. Mr. Vrla said this has an enhanced façade.*

*Council Member Swafford said Council had discussed gas stations on the corner of SH161 and one on the west and east corners of Epic East.*

**Council Member Swafford moved, seconded by Council Member Del Bosque, to close the public hearing and approve Case SU190401/S190401. The motion carried unanimously.**

**Ayes:** 7 - Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10623-2019

**19**

SU190402 - Specific Use Permit - Century Industrial Park, 1725, 1801, and 1801 E. Main Street (City Council District 5). Specific Use Permit request for Major Auto Repair, Body Shop, and Outside Storage on 7.6 acres. Century Commercial Park, John W. Kirk Survey, Abstract No. 726, City of Grand Prairie, Dallas County, Texas. 7.6 acre tract zoned LI, Light Industrial District within the Central Business District (CBD) Overlay Corridor, Section No. 3, generally located south of E. Main Street and approximately 140 feet west of S.E. 19th Street. The agent is Michael Martin, Bannister Engineering, the applicant is Daniel Adams, and the owner is Bill & Valarie Adams. (On April 1, 2019, the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

*Mr. Jones reviewed Case SU190402 for a major auto repair body shop and outside storage on 7.6 acres. He said several uses on the property are non-conforming. Century trucks uses this area for body work, install utility beds and some storage and used car sales. Mr. Jones said the applicant wants to consolidate all these uses and will demolish the existing building and build a 15,000 sq. foot major auto repair and body shop. Other buildings would be renovated for a used car dealership uses and*



showroom/office. Mr. Jones showed elevations of the 15,000 sq. ft. building. He said the applicant requested a variance to use metal siding. He said if the applicant wished to have another tenant other than Century, they would have to come back for another SUP. Mr. Jones said there are three current driveways, none of which is at the traffic light on Small Street. The applicant is requesting to close the driveways on the far east and west parts of the site and use the drive where there is currently a fire hydrant and pole sign and will remove those. They are proposing to pave the public right-of-way to standards of Airport Drive. Mr. Jones said staff did not support unless remodeling occurs and driveway construction occurs prior to issuance of the CO, and did not support the request for exterior 100% masonry material exception to use metal. The Planning and Zoning Commission recommended approval as requested by the applicant.

Bill Adams, 880 Harbor Court, Southlake, submitted a speaker card in support of this case. Mr. Daniel Adams, 1300 E. Main Street, was present to answer questions.

Council Member Humphrey asked if current operation will continue. Mr. Adams said the city came in to have them conform and get a CO and they would continue current operations. Century Trucks will stay and have moved major auto repairs to 1725 E. Main but need a bigger shop to handle the heavy auto repair and make ready.

Deputy Mayor Pro Tem Copeland asked if the masonry requirement would be a deal breaker. Mr. Adams said masonry would not be continuity from where they are now and this will be good quality metal and they could merge some masonry in. Deputy Mayor Pro Tem Copeland asked if the masonry would be just visible from Main Street. Mr. Jones replied that all along the side and front and parallel to Main would have to be 85% masonry. Council Member Wooldridge said they were just trying to keep with the current theme. He said if they can put a good metal product on the building, he did not see any reason not to approve it with metal.

**Council Member Humphreys moved, seconded by Council Member Wooldridge, to close the public hearing and approve Case SU190402 with metal siding per the Planning and Zoning Commission recommendation. The motion carried unanimously.**

**Ayes:** 7 - Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10624-2019

## Items for Individual Consideration

20

Public Hearing and resolution adopting the 2019 revision of the City's Water Conservation

*Mayor Pro Tem Copeland stated that Items 20 and 21 were public hearings and invited any citizen comments on these items. There were no speakers.*

*Gabe Johnson, Public Works Director, stated these plans are to be updated and submitted to TCEQ every five years. He stated there were very few changes from the 2014 plans. He said the plans must be consistent with the City of Dallas plans because the city purchases water from them. Mr. Johnson said the stages of water restrictions in the Drough Contingency Plan were consistent with surrounding cities.*

**Deputy Mayor Pro Tem Giessner moved, seconded by Council Member Fregoe, to close the public hearings and approve the 2019 Water Conservation Plan and the 2019 Drought Contingency Plan. The motion carried unanimously.**

**Ayes:** 7 - Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: RES 5010-2019

**21**

Public Hearing and a resolution adopting the 2019 Drought Contingency Plan

**Adopted**

Enactment No: RES 5011-2019

**22**

Board and Commission Appointments

**Council Member Swafford moved, seconded by Council Member Del Bosque, to appointed Melinda Rodgers as an alternate to the ZBA; and appoint James Overton to the Commission on Aging. The motion carried unanimously.**

**Ayes:** 7 - Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

### **Citizen Comments**

*There were no citizen comments.*

### **Adjournment**

**Mayor Pro Tem Copeland adjourned the meeting at 7:24 p.m.**

*The foregoing minutes were approved at the May 7, 2019 meeting.*

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*Catherine E. DiMaggio, City Secretary*