



City of Grand Prairie

City Hall
317 College Street
Grand Prairie, Texas

Minutes - Final

City Council

Tuesday, August 16, 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 The Raves - Marketing and Library - Presented by Amy Sprinkles, Marketing and Libraries Director

Cami McKillop, Marketing and Communications Manager, went over all the duties of Communications and Marketing Department including the monthly water bill newsletter; Life is Grand magazine; maintain the city website; produce news releases and social media posts; billboards; produce State of the City; and city calendar; city Christmas card; Live Life Grand campaign; election campaign materials; digital signs; educational campaigns for various city projects and events; Raving Fans program; employee communications; and payroll calendar. She said the cable division produces educational programming and video production.

Amy Sprinkles, Marketing and Library Director, stated the Main Library reopened in June. The summer reading club had an increase of 57% over last year. The number of programs offered increased 8% and program attendance was up 10%. Ms. Sprinkles stated that the library had outreach programs in several venues throughout the city. Circulation of ebooks increased 20% from 2015 numbers. Upcoming events include free computer classes and the expansion of the Shotwell and Warmack Libraries.

Presented
- 2 Strategic Stormwater Master Plan Update and Prioritization - Romin Khavari, City Engineer

Romin Khavari, City Engineer, stated that in 2010, the city-wide drainage master plan was established with focus on Watershed Master Plans and the creation of a CIP priority list. Today, the city is continuing to implement projects and to act on complaints as they are received, however, needs exceed resources. In 2016, the city

responded to the May 2015 flooding, completed a drainage problem area assessment, a master plan study update and isolated eight locations of neighborhood flooding. Mr. Khavari said there are 82 projects remaining from previous master plans at a cost of \$219 million which will take approximately 80+ years to complete. He said the following priorities have been established: Priority #1 of Channel Flood Mitigation (36% of city in floodplain); Priority #2 Storm Drain System; and Priority #3 Stream Stability - erosion is causing damage to public infrastructure and private property. He said the the current CIP Inventory identified projects in the amount of \$219 million but the current project budget is \$3.6 million. Mr. Khavari stated that there must be a strategic approach based on acceptability; affordability; and effectiveness. He went over a model for determining where resources should be focused on chronic issues. The city searches for partnerships on very large projects with FEMA, TSDB, HMBP, and the Corps of Engineers. He said current drainage criteria requires the city to deal with a 100-year flood. Mr. Khavari said there is no drainage infrastructure in Indian Hills and Shady Grove. City Manager Tom Hart asked if anything that is built now is to withstand a 100-year event. Mr. Khavari said yes, that is part of the challenge because FEMA goes by the current 100-year event and it may be based on a study done 15 years ago. He said staff is working with consultants to identify what future 100-year development needs to be. The city is part of a community rating project and Grand Prairie is being proactive and by getting better information our rating is better.

Mayor Pro Tem Clemson asked if when the Indian Hills and Shady Groves study is complete, would it be plugged into the Master Plan. Mr. Khavari replied yes, and that other areas will be identified as well. These studies should be complete the latter part of 2016.

Council Member Copeland asked how cities work together to make sure that water from other cities do not end up in our city. Mr. Khavari stated that FEMA regulations state that they cannot increase flow. Mr. Hart stated that the Fire Department now has 24 firefighters who are now swift water trained and they will be pre-deployed to flood areas to evacuate people.

Presented

Agenda Review

Mayor Pro Tem Clemson asked if Council had any questions on Consent Agenda Items 4 through 28. Council Member Shotwell referred to Item 15 (price agreement for heavy equipment maintenance with DARR) and asked if they are in Southlake or another location. Jayson Ramirez, Fleet Manager, stated they were located in Southlake.

Mayor Pro Tem Clemson referred to Consent Agenda Items 19 and 20 regarding HVAC unit replacements because of the fact that R-22 Freon is no longer available, would that affect other buildings. Mayor Jensen replied that other buildings would be affected.

Mayor Jensen referred to Item 40 (appointment of members to the Crime Control and Prevention District). He stated that this is a 7-member board and in the past it was determined that the Mayor and Mayor Pro Tem would not be on the board. He asked Council if they would like to continue that policy. It was the consensus to continue.

Executive Session

There was no executive session.

Recess Meeting

Mayor Jensen recessed the meeting at 5:20 p.m.

6:30 PM Council Chambers

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

Pastor Dante' Burress, Trinity Worldwide Church, gave the invocation. The Pledge of Allegiance to the US Flag and to the Texas Flag were led by Mayor Pro Tem Jorja Clemson.

Presentations

- 3** Recognition of the Keep Grand Prairie Beautiful Commission Members - Presented by Jim Cummings, Environmental Services Director
- Jim Cummings, Environmental Services Director, introduced members of the Keep Grand Prairie Beautiful Commission. Mayor Jensen thanked the members for serving and told them that the Council greatly appreciated the expertise and input of the committee members and presented each with a city lapel pin.*

Presented

Consent Agenda

Mayor Pro Tem Clemson moved, seconded by Council Member Fregoe, to approve Items 4 through 28 on the Consent Agenda. The motion carried unanimously.

- 4** Minutes of August 2, 2016 Council Meeting
- Approved on the Consent Agenda**
- 5** Authorize the City Manager to enter into a service agreement with 720 Design Architects in an amount not to exceed \$75,000 for architectural engineering, design and documentation services to expand the Shotwell Library
- Approved on the Consent Agenda**
- 6** 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 in the amount of \$6,000 for the purpose of

compliance-related activities of the City's tobacco retailers.

Approved on the Consent Agenda

- 7 Award a contract to Spohn Ranch Skate Parks in the amount of \$249,525.42 for repairs and additional amenities to Alliance Skate Park through the Houston-Galveston Area Council of Government (HGAC).

Approved on the Consent Agenda

- 8 Award a contract to Freese and Nichols, Inc. for professional services relating to landfill levee remediation services in the amount of \$60,621.

Approved on the Consent Agenda

- 9 Change Order/Amendment No. 2 for professional services surveying contract with Keeton Surveying Company for as-needed Miscellaneous Professional Survey Services for various projects in the maximum amount of \$55,000

Approved on the Consent Agenda

- 10 Change Order/Amendment No. 3 in the net amount of **\$54,640.51** with Austin Bridge and Road, L.P for MacArthur Blvd Paving and Drainage improvements

Approved on the Consent Agenda

- 11 Contract amendment No. 9 with Birkhoff, Hendricks and Carter in the amount of \$45,000 for additional professional engineering services for the MacArthur Paving and Drainage Improvement Project

Approved on the Consent Agenda

- 12 Construction Manager at Risk (CMAR) Contract with Modern Contractors for pre-construction services for additions and renovations to Prairie Paws Animal Shelter in the amount of \$1,000.00 and approve a Construction Services Fee of 2.25% to be applied to the actual approved construction costs for the Prairie Paws Animal Shelter additions and renovations.

Approved on the Consent Agenda

- 13 Price agreement for car wash services from Supershine Car Wash (up to \$13,450 annually) and Parkway Car Wash (up to \$3,640 annually) for one year with the option to renew for four additional one year periods totaling \$67,250 and \$18,200 if all extensions are exercised and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms

Approved on the Consent Agenda

- 14 Price agreement renewal #2 for utility cuts, with primary vendor, New Star

Grading & Paving Construction Co., at an estimated annual cost of \$1,293,076 for a total of \$6,192,828 (\$1,156,800 1 & 2 years + 1,293,076 3,4 & 5 years)

Approved on the Consent Agenda

- 15** Price agreement for heavy equipment maintenance and repair from DARR Equipment Co. (up to \$300,000 annually) for one (1) year with the option to renew for four (4) additional one year periods totaling \$1,500,000 if all extensions are exercised; award a secondary to Garcia Bros Contracting, Inc. (up to \$300,000 annually) for one (1) year with the option to renew for four (4) additional one-year periods totaling \$1,500,000 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

- 16** Price agreement for annual maintenance and emergency repairs on various generators for the Water Utilities Department from Loftin Equipment Co. through an inter-local agreement with Houston-Galveston Area Council (HGAC) at an estimated annual cost of \$25,089.00 for one year with the option to renew for an additional one-year period totaling \$50,178.00 if all extensions are exercised; and authorize the City Manager to execute the renewal options with aggregate price fluctuations of up to \$50,000 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

- 17** Price agreement for pavement marking services from Stripe-A-Zone (up to \$464,583 annually) for one year with the option to renew for four additional one year periods totaling \$2,322,915.00 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

- 18** Price agreement for Pavement Resurfacing from Reynolds Asphalt and Construction Company (up to \$3,523,900 annually) for one year with the option to renew for four additional one year periods totaling \$17,619,500 if all extensions are exercised; and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms

Approved on the Consent Agenda

- 19** Ratify the purchase and installation of two HVAC units at the Charles V. England Public Safety Training Center from Trane in the amount of \$80,635 with a 5% contingency in the amount of \$4,031.75, for a total cost of \$84,666.75

Approved on the Consent Agenda

- 20** Ratify the purchase and installation of two HVAC units at the Development Center in the amount of \$171,020 with a 5% contingency of \$8,551, for a total cost of \$179,571

Approved on the Consent Agenda

- 21** An Ordinance amending the FY 2015/2016 Capital Improvement Projects Budget; award of a contract to Bassco Services, Inc. for Fuel Tank Conversion for \$15,425 to clean the tanks and do the other work associated with the tank conversion, and a miscellaneous cost of \$4,575 for a total cost of \$20,000.

Adopted

- 22** Ordinance amending the FY 2015/2016 Capital Improvement Projects Budget; Project Utility Adjustment Agreement with LANE-ABRAMS JV and the City of Grand Prairie for utility relocation costs associated with the Texas Department of Transportation 360 Project

Adopted

- 23** Ordinance amending the FY 2015/2016 Capital Improvement Projects Budget to provide additional funds for geotechnical testing from Alliance Geotechnical Group in an estimated amount of \$8,000

Adopted

- 24** Ordinance amending the FY 2015/2016 Capital Improvement Projects Budget for construction costs for extension of the perimeter road at the Grand Prairie Municipal Airport and Change Order #1 to the Aerofirma Memorandum of Lease and Proposed Construction of improvements Agreement with Staggerwing Development #4 LLC.

Adopted

- 25** Ordinance calling the November 8, 2016 Special Election for the sale of park land

Adopted

Enactment No: ORD 10113-2016

- 26** Resolution adopting the City-Wide Drainage Master Plan for Gopher Branch

and Turner Branch

Adopted

Enactment No: RES 4835-2016

27

Resolution adopting the City-Wide Drainage Master Plan for Bear Creek and Dry Creek

Adopted

Enactment No: RES 4836-2016

28

Resolution adopting the City-Wide Drainage Master Plan for Dalworth Creek

Adopted

Enactment No: RES 4837-2016

Public Hearing Consent Agenda

Mayor Pro Tem Clemson moved, seconded by Council Member Thorn, to close the public hearing and table Items 29 through 32 on the Public Hearing Consent Agenda. The motion carried unanimously.

29

S160701 - Site Plan - 203 N Belt Line Rd (City Council District 5). Consider a request to approve a site plan for a non-residential lot for retail and service uses. The 0.694-acre property, located at 203 N. Belt Line Road, is zoned Commercial (C) District and is within the Central Business Overlay District, Section Number 2. The owner is Khiem Phan. (On August 1, 2016, the Planning and Zoning Commission tabled this case by a vote of 8 to 0).

Tabled

30

SU160801 - Specific Use Permit - 1325 E Jefferson Street (City Council District 5). Consider a request to approve a Specific Use Permit to allow for Tire and Wheel Sales & Installation (Outdoor Displays) use at an existing 2,460 square foot commercial building. The 0.588-acre property is generally located at the southeast corner of S.E. 14th Street and E. Jefferson Street (1325 E. Jefferson Street), is zoned General Retail (GR) District and is within District 3 of the Central Business District (CBD) Overlay. The agent is Elias Rodriguez, Construction Concepts Inc. and the owner is Felipe Vela, D-Town Tire. (On August 1, 2016, the Planning and Zoning Commission tabled this case by a vote of 8 to 0).

Tabled

31

SU160802 - Specific Use Permit - 1701 E Main Street (City Council District 5). Approval of a Specific Use Permit permitting the operation of a Heavy Equipment Parking and Storage in conjunction with an existing Truck Transportation Services Business. The site is generally located southeast of

S.E. 17th Street and E. Main Street (1701 E. Main). The 6.01 acre property is zoned Light Industrial (LI) District and lies within the Central Business Corridor District, Section 3. The applicant is Orlando Williams, Martin Transportation Systems and the owner is Patrick Lawler, SL 129 17th St. LLC. (On August 1, 2016, the Planning and Zoning Commission tabled this case by a vote of 8 to 0).

Tabled

32

TA160701 - Text Amendment - Article 12. Request for a text amendment to Article 12, "Platting," of the Unified Development Code to revise Section 27, "Participation." The owner /applicant is Brent O'Neal, City of Grand Prairie, Engineering. (On August 1, 2016, the Planning and Zoning Commission tabled this case by a vote of 8 to 0).

Tabled

33

SU160803/S160802 - Specific Use Permit/Site Plan - Texas Direct Auto (City Council District 4). Approval of a request for a Specific Use Permit for an outdoor Auto Dealership Inventory Holding Yard to be operated by Texas Direct Auto (formally Vroom Auto). The 7.24-acre property, zoned Planned Development 140 (PD-140) District and within the I-20 Corridor Overlay District, is located at the northwest corner of Bardin Road and Endicott. The agent is Brett Bertrand, Texas Direct Auto, the applicant is Matthew Marquis, Symmetry Development Inc., and the owner is Matthew Bukin, Sheffield Land Associates LP.

Case Withdrawn by the Applicant

Withdrawn

Public Hearing on Zoning Applications

34

S160801 - Site Plan - 200 W Jefferson Street (City Council District 5). Approve a Site Plan authorizing the development of a 3,750 sq. ft. retail strip center on 0.45 acres. The subject property, generally located at the southeast corner of SW 2nd Street and W Jefferson Street, is zoned Central Area (CA) District and within Central Business District No. 2 (CBD 2). The agent is Henry Nguyen and the owner is Tung Su. (On August 1, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Jim Hinderaker, Chief City Planner, reviewed Case S160801 for a 3,750 sq. ft. retail center. He said the applicant had met requirements on the setback but the lot does not meet dimensional requirements because it is only 78' deep (vs. requirement of 100 ft.) The parking plan allows the applicant to use the alley for parking and enter and access onto Jefferson with a landscape buffer on Jefferson. Mr. Hinderaker showed building elevations. He said the applicant had met building articulation and masonry requirements. Mr. Hinderaker said the Planning and Zoning Commission and staff recommended approval of this case.

Council Member Shotwell asked about access on Jefferson and the parking behind the building. Mr. Hinderaker said there would be parking in back as well as on the side. Council Member Shotwell asked if there would be a canopy in front. Mr. Hinderaker said there would be a canopy with a 10 ft. sidewalk. Council Member Shotwell said it looks good but he was not sure how clients would enter the building if it was raining. He added there is a shopping center to the west that is not completely filled. Deputy Mayor Pro Tem Wooldridge said he had the same concern with all access on Jefferson. He asked if there could there be an entrance on the back of the building. Mr. Hinderaker said the applicant wanted to leave the back as a service entrance. Council Member Swafford asked about the handicap area.

Henry Nguyen, 1330 Glenfield Avenue, Dallas, submitted a speaker card in support of this item.

Council Member Shotwell moved, seconded by Council Member Thorn, to close the public hearing and approve Case S160801 as recommended by the Planning and Zoning Commission and staff. 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

35

S160804 - Site Plan - Aura South Gate (City Council District 4). Approve a site plan to construct and operate a multi-family residential development. The 13.11-acre property, zoned Planned Development-352 (PD-352) District for mixed use development, is generally located south of Ragland Road between State Highway 360 (SH 360) and Day Miar Road, is within the State Highway 360 (SH 360) Corridor Overlay District. The applicant is Adam Brown, Trinsic Acquisition Company LLC and the owner is Charlie Anderson, TA Land Fund LP. (On August 1, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 7-1).

Mr. Hinderaker reviewed Case S160804, for a multi-family development with 700 units on the south part of the property. He said this case is the first phase of that development. Mr. Hinderaker showed the site plan and stated the applicant had met all dimensional standards of the PD. Access would be on Prairie Lakes Drive and Day Miar. There are seven apartment buildings and one clubhouse. The applicant has met minimum landscape requirements. The applicant has proposed a mixed use development. Buildings 1 and 2 are within 10' of the street (Prairie Lakes Drive). Mr. Hinderaker showed architectural renderings and stated the plan meets overlay standards. He said the applicant has requested a variance for the clubhouse and staff is not supportive of the 30/70% split for masonry. Staff recommended masonry on the first level. Mr. Hinderaker stated there were two other appeals: 1) 60% of overall units as one bedroom instead of the 50% overall units; and 2) Roof Pitch (between 6:12 and 10:12 pitch and the applicant is requesting a 4:12 pitch). The Planning and Zoning Commission recommended approval but Mr. Hinderaker said staff could not fully support this case because of the masonry appeal on the clubhouse.

Council Member Copeland asked Mr. Hinderaker to point out on the map where Prairie Lakes Drive is located. Mr. Hinderaker showed the location of the road on the subject site and stated the developer is building the road. Council Member Copeland asked if the infrastructure was in place for this development. Mr. Hinderaker said the city is looking at building the sewer up to Day Miar and the developer will be responsible for running it to the development. Bill Crolley, Executive Director for

Planning, said staff is working with the developer who would be required to build the minimum of the street and he was not sure if there would be some participation by the city. Council Member Copeland said it appears this would keep traffic off Day Miar and Ragland. Mr. Crolley said this is just the first phase.

Jason Hauck, 3100 Monticello, Suite 900, stated he was present to answer questions. He said the masonry appeal is just on the clubhouse building. The other seven buildings comply with the masonry requirements. Mr. Hauck said the reason for asking for this appeal is that they are trying for a certain architectural style.

Council Member Wooldridge asked when construction would start. Mr. Hauck said construction should begin in October.

Mayor Jensen asked Mr. Hinderaker to show an example of the 80/20 requirement.

Council Member Giessner asked if the clubhouse would be visible from SH360. Mr. Hinderaker said it would probably be visible when they are the only development out there.

Council Member Fregoe asked Mr. Hinderaker if he had any further comments regarding their compromise proposal. Mr. Hinderaker said he would still recommend the 80/20 masonry requirement.

Mayor Pro Tem Clemson asked about the naming of Prairie Lakes Drive. Mr. Hinderaker said staff had to come up with something that is not already named and this is just a working title.

Council Member Fregoe moved, seconded by Council Member Wooldridge, to close the public hearing and approve Case S160804 as presented by staff and 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

36

SU121201A/S121201A - Specific Use Permit/Site Plan Amendment - Sunbelt Self-Storage (City Council District 4). Approval of a request to amend Specific Use Permit No. 918 (Ordinance No. 9559-2013) for Sunbelt Self-Storage, an operating mini-storage facility with outside storage. The applicant is specifically seeking to amend the approved hours of operation from 6:00 AM - 9:00 PM to 6:00 AM - 12:00 PM (midnight). No other changes are proposed. The 4.63-acre property, zoned Commercial One (C-1) District and within the S. H. 360 Corridor Overlay District, is addressed as 3015 New York Avenue. The property is located at the northwest corner of New York Avenue and Mirabella Boulevard. The owner/applicant is Sunbelt Land Development 360, Ltd. and the agent is Walter Nelson. (On August 1, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Mr. Hinderaker reviewed Case SU121201A/S121201A, for extended gate hours from the current closing time of 9:00 p.m. to midnight because they have boat storage and would like customers to be able to stay out on the lake later. He said there was residential on the east and an elementary school to the north. The applicant has

security cameras and an on-premise caretaker. Mr. Hinderaker went over the hours of some other storage facilities in this area: one is open 24/7; two are open to midnight; three are open 3-9 pm; four are open 4-9 pm (subject property) and north of this property the storage facility on Ragland is open 24/7. He said staff had received two letters in opposition, but staff recommends approval because of access off New York.

Council Member Giessner stated that one of the letters stated that they had to have someone living on property. Mr. Hinderaker replied that was correct and the applicant assured staff there was a caretaker living on the property. Council Member Fregoe asked if Mira Bella had residential property. Mr. Hinderaker replied that it has residential property but that Mira Bella is the emergency only exit, all traffic in and out will be off New York.

Walter Nelson, 3012 Hobble Court, stated that the gate onto Mira Bella is locked and the on-premise person does live on the property.

Council Member Fregoe moved, seconded by Council Member Thorn, to close the public hearing and approve Case SU121201A/S121201A as presented by staff and as recommended by the Planning and Zoning Commission. The motion carried as follows:

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 10114-2016

37

SU160804/S160803 - Specific Use Permit/Site Plan - MDM Scaffolding (City Council District 1). Approval of a request for a Specific Use Permit for a Contractor Shop w/Outdoor Storage (MDM Scaffolding). The 2.88-acre property, zoned Light Industrial (LI) District and within the SH 161 Overlay Corridor, is generally located south of W. Shady Grove Road and east of Roy Orr Boulevard. The property is addressed as 1717 W. Shady Grove Road. The agent is James H. Rester III and the owner is Carol Morgan, MDM Scaffolding. (On August 1, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Mr. Hinderaker reviewed Case SU160804/S160803, for the leasing and sale of scaffolding equipment and an SUP for outside storage. The applicant is proposing to build a 12,000 sq. ft. building and will be doing concrete paving. Mr. Hinderaker said the outside storage area will need to be screened by a fence and they are requesting to use the existing fence. There will be a 30' landscape buffer along Shady Grove in front of the building. The area in the back will be used for storage and the applicant proposed a fire lane wrapped around this area. He said there was no issue with the amount of fire lane but staff wanted to have enough for fire trucks to be able to enter the area. There will be parking in front of the property. Mr. Hinderaker showed elevations and stated the project meets articulation standards. The applicant requested one appeal for the existing chain link fence on the south, east and west side which they are asking to maintain. The applicant has agreed to put in slats as requested by the Planning and Zoning Commission. The neighbors have asked to leave vines rather than putting in the slats, but would like a provision if vines die or

are removed, the slats need to be put in.

Jim Rester, 6525 Lake Side Circle, 76180, was present to answer questions.

Mayor Pro Tem Clemson moved, seconded by Council Member Giessner, to close the public hearing and approve Case SU160804/S160803. 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 10115-2016

38

SU160504 - Specific Use Permit - 2248 Poulin Ave (City Council District 5). Consider a request for a 2,400 square foot major auto repair facility and an 893 square foot addition to an existing auto rear facility on one lot on 0.459 acre. The property is zoned Light Industrial (LI) and lies within the Central Business Corridor District No. 3; generally located at the southeast corner of Poulin Avenue and Jere Street. The agent is E.D. Hill and the owner is Mauricio and Flor Figueroa. (On July 11, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0).

Mr. Hinderaker stated this case was tabled by Council at the August 2, 2016 meeting. He said the applicant is proposing to add a 2400 sq ft building and will be adding concrete parking and a masonry dumpster enclosure. The applicant meets all minimum parking requirements but there is a concern about parking vehicles waiting to be worked on. He said staff recommends a lot of restrictions regarding inoperable vehicles and they must be in the designated parking place or inside building.

Council Member Shotwell asked to make sure that it was included in the ordinance that the parking area was prohibited not just for inoperables but if the vehicle runs and does not have fenders or hoods (any cars being worked on for an extended period of time) are also prohibited. Mr. Hinderaker replied the ordinance includes those kinds of vehicles left over two nights and have the required paper work and no employees or worked on vehicles are to be parked on the street.

E.D.Hill, 209 Silye Midlothian, submitted a speaker card in support of this item. He said 1500 sq. ft. of concrete has been added for parking vehicles. Council Member Shotwell said the issue was not just cars parked on concrete, but employees who are working on cars need to be in designated areas and no cars on the grass. He asked Mr. Hill if the applicant was aware of this. Mr. Hill replied yes.

Council Member Shotwell moved, seconded by Council Member Copeland, to close the public hearing and approve Case SU160504 with the staff's stipulations regarding parking of inoperable vehicles with a one-year review after completion of the building. 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 10116-2016

Items for Individual Consideration

39

Place a proposal on the September 20, 2016 agenda to adopt a 2016 proposed tax rate of \$0.669998/\$100 valuation, and call two public hearings on a tax rate that exceeds the effective tax rate for August 30, 2016 and September 6, 2016.

Council Member Swafford moved, seconded by Council Member Thorn, to place a proposal on the September 20, 2016 Council agenda to adopt a 2016 proposed tax rate of \$0.669998/\$100 valuation, and call two public hearings on a tax rate that exceeds the effective tax rate for August 30, 2016 and September 6, 2016. 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

40

Appoint members of the Crime Control and Prevention Board for two-year terms

Council Member Swafford moved, seconded by Mayor Pro Tem Clemson, to appoint Jeff Copeland, Richard Fregoe, and Jeff Wooldridge to the Crime Control and Prevention District Board for a two-year term. 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

41

Board Appointments

Mayor Pro Clemson moved, seconded by Council Member Giessner, to appoint Valerie DoBrava to the Housing and Community Improvement 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

Citizen Comments

There were no citizen comments.

Adjournment

Mayor Jensen adjourned the meeting at 7:25 p.m.

The foregoing minutes were approved at the September 6, 2016 meeting.

Catherine E. DiMaggio, City Secretary