



Minutes - Final
City Council

Tuesday, July 19, 2011

4:30 PM

Council Briefing Room

Call to Order

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

Present 9 -

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

Staff Presentations

1

Transportation Department Wireless Communication System for Traffic Signals - Presented by Sholeh Karimi

Sholeh Karimi, Traffic Engineer, Transportation Department, gave a presentation on the wireless communication system for traffic signals. Ms. Karimi outlined project goals and the workings of the system (106 signals connected via fiber; 53 signals connected via wireless; 6 isolated signals). She said construction is complete and testing will be completed at the end of August. The total budget for the system was \$1,073,949 (including city, federal, TXDOT and LAQP funding). The city's portion for the equipment was \$103,267, for a total contribution of \$366, 649. Ms. Karimi explained that the system will allow adjusting signal timing directly from the traffic management center. She added that the high bandwidth will support video applications and incident management and the wireless backhaul is designed to support other city departments. This system replaces the T1 leased communications links.

City Manager Tom Hart said staff has been looking at video conference links to the fire stations and to give citizens access to services through a video link, and also some police applications will be enabled. He said staff is working with emergency management for connectivity between the emergency management center and the traffic management center.

Council Member Shotwell asked if this system would prevent having to stop at every traffic light on Main and Jefferson. Ms. Karimi said that currently there is a lack of communication between signals but with this system every controller will be synced every day in the traffic management system. Mayor England noted that with Motorola this system will most likely need to be replaced in ten years if past history with that company is any indication. Ms. Karimi said a lot of vendors come and go and Motorola is a stable company and they have guaranteed to support all this equipment for five years.

2

Main Street Facade Program - Presented by Bob O'Neal and Rita Heep,
Economic Development Department

Rita Heep, Economic Development Department, introduced Carol Twitmyer, Merriman Associates/Architects, Inc., who designed the downtown façade program. Ms. Heep said the test building at 109 Main Street should be finished by the end of next week. Bob O'Neal, Economic Development Director, said sidewalk improvements are also underway. He said when the test building façade renovation is complete, work will commence at the former frame shop building. Mr. O'Neal said there will be a Subway going in to the old Hendrix Building and plans are currently being drawn up. The parking lot contract has been awarded and will begin at the end of this month. Contracts will be on the Council agenda for facades in August. Ms. Heep stated that the test building has taken longer to finish than was originally anticipated because of interior structural issues. Council Member Shotwell asked if owners would be covering structural costs. Mr. O'Neal said they were not, but the project is staying within budget. Ms. Twitmyer said there had been many past renovations on this old building and some were covering up problems rather than addressing them. A structural engineer recommended a bracing system for the building. Mr. O'Neal said the building owner is paying 10% of the \$40,500. Mr. Shotwell asked if this was the same deal we will give other owners. Mr. O'Neal said because of the work on this building, they now have a better assessment process for future renovations. Council Member Shotwell asked how much more total cost was because of the structural repairs. Mr. O'Neal said they had estimates going in and will stay within budget with the facades (Phase I and II budget is \$1,000,000). Mayor England asked what if some of the other buildings have code problems. Ms. Heep said the scope of work has been scaled back on some buildings because of some things that were issues as far as repairs. She said staff would do the best they can within budget, unless the building owner wants to pay more. Mayor Pro Tem Swafford wanted to make sure staff was not spending more on this building so that it would endanger completion of other building facades. Mr. O'Neal said the reason staff wanted to do the test building was to determine what things may come up with the façade renovation. Ms. Twitmyer said her company had outlined a scope and built in a contingency that is less than what is budgeted. Mr. Shotwell asked if the building owners were in for 10% no matter if we go over the budget. Mr. O'Neal said the owners are in for 10%, not a dollar amount. He said the cope can be adjusted to stay within budget. Ms. Twitmyer said if the budget is \$15,000 and there is more to the project than was originally anticipated, they will reassess to stay within budget. Mr. O'Neal said there is an "as is" condition statement contained in the contracts with building owners. He said Phase 2 is the 100 block of W. Main Street (Farmers Market block and the Thorne Building side). Ms. Heep said they have letters of intent from the building owners. Ms. Twitmyer added there is some wiggle room in the budget because estimates came in cheaper than originally estimated. Mr. Hart said the city survey pointed out that people assess a city based on the downtown area.

Agenda Review

Mr. Hart said there needed to be some discussion on Item 8 (Ordinance to abolish term limits on city boards and commissions). He said an issue was raised on term limits and after listening to various people there are diverging opinions. As the proposed ordinance stands, there would be no term limits. Council Member Jensen said he felt comfortable with term limits and did not want term limits on the Housing Finance Corporation and the Sport Corporation. He cited instances where it would not be a good idea to replace current members on the Housing Finance Corporation and the Sports Corporation. He asked that staff come back with an alternate ordinance that retains and extends term limits on all boards including the ones presently excluded, but with the added stipulation that Council could waive term limits for any board appointment by a supermajority vote (7 votes). Mr. Jensen said he had spoken with Mayor England and he agreed with this alternate option. Mayor England stated that the Sports Corporation and all boards have term limits since they get voted on every two years. Mr. Jensen said there ought to be a phased process.

Council Member Hepworth said he had spoken with the City Manager and the Mayor earlier in the day and was made aware of this compromise. He said he felt this compromise was a good one and he agreed with a phased in process for implementing term limits. He requested that speakers who were present at the meeting be allowed to speak before this item gets tabled. Mayor England agreed that speakers should be allowed to speak before the item is tabled. Council Member Giessner thought it would be wise before it is tabled to explain the procedure to those who are present to speak. They should know that it is not the intent to make lifetime appointments. He said some boards have vacancies and it is difficult to find volunteers for positions on boards and this is leaving positions vacant. Mr. Hart said Council would not be taking action on this item, but they would just be instructing staff to prepare an ordinance that enacts the compromise and place this on the next meeting's agenda. Council Member Shotwell said if he had a volunteer on the Animal Shelter Advisory Board who loves animals and serves for six years, he would like to be able to extend their term to serve longer than six years. Mayor England said it was never the intention to have lifetime appointments to anything; every two years Council votes on appointments to every board. He stated that contrary to a rumor he heard, the Sports Corporation does not get paid. Mr. Giessner said this does not prevent council from removing any board member who is not fulfilling their obligations. Deputy Mayor Pro Tem Jackson said in her motion to approve the Consent Agenda she would include removal of this item for further discussion.

Executive Session

An executive session was not held.

Recess Meeting

Mayor England recessed the meeting at 5:25 p.m.

5:30 PM City Council Chambers

Mayor England reconvened the meeting at 5:35 p.m.

Chaplain Sam Spence, Lone Star Park, gave the invocation. The Pledge of Allegiance to US Flag and to the Texas Flag was led by Council Member Ron Jensen.

Consent Agenda

Deputy Mayor Pro Tem Jackson moved, seconded by Council Member Fregoe, to approve Items 1 through 7 on the Consent Agenda and remove Item 8 for further discussion. The motion carried unanimously.

3 Minutes of the July 5, 2011 Meeting

Approved on the Consent Agenda

4 Resolution authorizing the City Manager to execute a master inter-local purchasing agreement between the City of Grand Prairie and the City of The Colony, Texas

Adopted

5 Resolution adopting the West Fork Trinity River 1-Dimensional and 2-Dimensional Analysis Study

Adopted

6 Resolution approving a Memorandum of Understanding for adoption of TXDOT's Federally approved Disadvantaged Business Enterprise Program

Adopted

7 Ordinance amending TIF #2 (IH-20 Retail District) Project Plan to decrease the allocation for Robinson Road Water/Wastewater Improvements and increase the allocation for the Forum Drive/Crossland Road Connection

Adopted

8

Ordinance amending the Code of Ordinances to abolish term limits on city boards and commissions

Council Member Jensen explained a compromise to the item to abolish term limits. He said he felt there were critical times when members of the Housing Finance Corporation and the Sports Corporation should not be removed. He stated that he had asked for this item to be pulled from the Consent Agenda and to request that staff come back with an alternate ordinance to retain and extend term limits on all boards, including those currently excepted but allow the Council to waive by a super majority vote the term limit for any board member. This would allow current and future council members to extend someone's term. The ordinance should include language that anyone serving on a board at the time this ordinance is enacted can be extended for a two-year term. He added that this item was not being tabled in order to allow those present to speak.

Mayor England stated that this item would be placed on the next agenda. He added that the Council had been briefed at the Briefing Session. He asked Mr. Postell to call speakers forward.

Barry Anderson, 2202 Ed Smith Court, said Grand Prairie is a very progressive city and he had chosen to remove himself from state boards but wanted to participate in local government. He said he could bring skills to make this a dynamic city and that he did not think there should be any exceptions to term limits. He said he would be watching how the Council votes. He said he would appreciate Council keeping term limits for all boards with no exceptions.

Brian Crowe, 2432 Kingsley Drive, said he was in favor of term limits. He said he had no opposition to reappointing board members, but at the end of every term there should be a formal process to give everyone a chance to participate on boards.

Ed Gray, 524 Jennifer Trail, stated that he currently serves on the Planning and Zoning Commission. He said term limits are valuable to all and that he supported what the Council has determined is in the best interest of Grand Prairie. Mr. Gray said there needed to be turnover on boards.

Angela Luckey, 4473 Harper Ferry Avenue, President of the Grand Prairie NAACP, stated that one of the principal objectives of the NAACP is to eliminate racial discrimination. She said the NAACP is in opposition of abolishing term limits. She said that there should be diversity not based on color, but on opinion. She said long tenure appointments add no value to the city. She said was not against someone being reappointed, but there should be term limits.

Rick Sala, 339 E. Sandra Lane, said he came prepared to speak to oppose term limits. He said there was wisdom in the compromise presented by Council Member Jensen. He agreed there are unique situations and certain skills that might lead to an extension of terms and that he liked the idea of a super majority vote to extend a term. Mr. Sala proposed that perhaps the new policy should allow only one extension.

Tommy Smelser, 2234 Bishop Drive, completed a speaker card but declined to speak.

City Attorney Don Postell read into the record those who opposed but did not wish to speak: Lisa Vick, 2017 W. Arbor Rose; Thaddeus Vick, 2017 W. Arbor Rose; Tina

Stacks, 607 Autumn Leaves Trail (representing Thousand Oaks Community Association); K. C. Riley, 2326 Nottingham; R. J. DiLena, 2514 Sunnyvale Road; Mike Hasty, 531 Clayton Street; Barbara Heckathom, 2330 Rovenwood; Eddie Peterman, 1506 Canterbury Court; Bryan Peterman, 709 E. Strong Parkway; William Mitchell, Jr., 3621 Oakmont Drive; Gloria Carrillo, 4536 Friars; Denise Gambrell, 2213 San Antonio Street; Aleta Jackson, 3718 Yaupon Drive.

Council Member Shotwell asked to consider three-year terms to coincide with Council terms, but keep six year term limits.

Referred to the City Attorney

Public Hearing Consent Agenda

Mayor Pro Tem Swafford moved, seconded by Deputy Mayor Pro Tem Jackson, to close the public hearing and table Items 9 through 12 and approve Items 13 through 17. The motion carried unanimously.

Ayes: 9 -

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

9

SU110702/S110701 - Specific Use Permit/Site Plan - Dunkin' Donuts (City Council District 6). Approval of a Specific Use Permit and Site Plan for a restaurant with a drive-through window on 0.65 acres. The subject property is zoned Planned Development District 44 (PD-44) and is located on the east side of S. Great Southwest Parkway south of W. Bardin Road. The subject property is located within the IH-20 Overlay District. The owner is Tom Loscheider, the applicant is Landplan Engineering, P.A., and the agent is John Damarth III. (On July 11, 2011, the Planning and Zoning Commission postponed this case by a vote of 9-0 until the applicant reactivates the case.)

Tabled

10

SU100703A - Specific Use Permit Renewal - 2515 W. Jefferson Street Suite 101 (City Council District 4). Consideration of a request for the renewal of a Specific Use Permit for a multi-purpose room/special event center on 1.316 acres. The subject property is zoned Commercial (C) District and is generally located east of S. Great Southwest Parkway on the south side of W. Jefferson Street. The subject property is located within Central Business District-One (CBD-1) Overlay District. The owner is Rosemary Johnson and the applicant is Charles Starnes, P.E.

Tabled

- 11 SU081202A - Specific Use Permit - 3401 S. Gilbert Road (City Council District 1). Revocation of an existing Specific Use Permit for a trucking and truck repair business. The site is currently zoned Light Industrial (LI) District and is generally located north of Shady Grove Lane along the west side of S. Gilbert Circle. The subject property is located in the SH-161 Corridor Overlay District. The owner/applicant is Joel Olivares.

Tabled

- 12 SU110704 - Specific Use Permit - 2735 W. Hunter Ferrell Road (City Council District 1). Approval of a Specific Use Permit for truck parking on 2.23 acres. The subject property is currently zoned Light Industrial (LI) District and is generally located on the south side of W. Hunter Ferrell Road west of MacArthur Boulevard. The owner is Jose Fernandez and the applicant is Keeton Surveying Company.

Tabled

- 13 SU110703 - Specific Use Permit - 4165 Magna Carta Boulevard (City Council District 4). Approval of a Specific Use Permit for a day care facility on 0.92 acres. The subject property is zoned Planned Development District 140 (PD-140) and is generally located north of Claremont Drive on the west side of Magna Carta Boulevard. The subject property is located within the SH-360 Overlay District. The owner is Realty Income Corporation, the applicant is Kids Community Preschool, and the agent is Tracie Martin. (On July 11, 2011, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

Tracie Martin, 4307 S. Bowen, Suite 107, Arlington, was present to answer questions.

Adopted

- 14 MTP110701 - Master Transportation Plan Amendment - Reclassification of a portion of Marshall Drive. Amendment to Article 23, "Master Transportation Plan," of the Unified Development Code to reclassify Marshall Drive from an M4U (minor, four lane, undivided roadway) to a C2U (collector, four lane, undivided roadway) between Avenue D and Hardy Road, and to revise the Thoroughfare Map to reflect said changes. The owner is the City of Grand Prairie, Texas, the applicant is Daon Stephens, and the agent is Kevin Lasher, AICP. (On July 11, 2011, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

Adopted

- 15 S110703 - Site Plan - Gateway Church (City Council District 6). Approval of a Site Plan for a church on 9.010 acres. The subject property is currently zoned Agriculture (A) District and is located at the southeast corner of the intersection of Day Miar Road and E. Seeton Road. The property is located within the Lakeridge Parkway Overlay District. The owner is Gateway Church, the applicant is Newsome Construction, Inc., and the agent is Dwight Newsome. (On July 11, 2011, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

Larry McSpadden, 4734 Old Fort Worth Road, Midlothian, was present to answer questions.

Adopted As Amended

- 16 SU110705/S110704 - Specific Use Permit/Site Plan - 1911 E. Main Street (City Council District 5). Approval of a Specific Use Permit for an automotive sales and repair facility with new parts sales on 0.452 acres. The subject property is currently zoned Light Industrial (LI) District and is located on the south side of E. Main Street east of S.E. 19th Street. The property is located within the Central Business District-Three (CBD-3) Overlay District. The owner/applicant is Jose Luis and the agent is Cruz L. Dominguez. (On July 11, 2011, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

Cruz Dominguez, 209 S. Jefferson, Irving, was present to answer questions.

Adopted

- 17 SU110701 - Specific Use Permit - 692 W. Pioneer Parkway, Suite 140 (City Council District 2). Approval of a Specific Use Permit for a self service laundry facility on 0.085 acres. The subject property is zoned General Retail (GR) District and is located on the north side of W. Pioneer Parkway, east of S. Carrier Parkway. The owner is 688 Pioneer LTD, the applicant is Tom Tran, and the agent is Avner Wolanow. (On July 11, 2011, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

Avner Wolanow, 2663 Freewood Drive, Dallas, was present to answer questions.

Adopted

Items for Individual Consideration

18

Annual Board and Commission Appointments

Deputy Mayor Pro Tem Ruthe Jackson moved, seconded by Council Member Thorn to make appointments to the following boards:

Airport Advisory Committee: Ray Doss and Joseph Tolaro

Animal Shelter Advisory Board: Debra Danhof and Virginia Stinchfield

Building Advisory and Appeals Board: Kevin Krajewski

Historical Commission: Karen Eddlemon

Housing and Community Improvement Commission: Eric Hedin, Michael Carr, and Barbara Brown

Keep Grand Prairie Beautiful: Greg Cashman

Library Board: Kay Harrison

Park Board: Jonathan Head and Antonio Lawrence

Planning and Zoning Commission: Bill Moser and Cindie Moss

Public Health Advisory Committee: Clyde Coburn

Zoning Board of Adjustments & Appeals: Karl Larson and Douglas Key

The motion carried unanimously.

Ayes: 9 -

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

Citizen Comments

There were no citizen comments.

Adjournment

Mayor England adjourned the meeting at 6:02 p.m.

The foregoing minutes were approved at the August 2, 2011 Meeting.

Catherine E. DiMaggio, City Secretary