The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Monday, October 5, 2009, in the Council Chambers at City Hall with the following members present:

Mayor Ronald E. Jones Mayor Pro Tem Laura Perkins Cox Councilmember Douglas Athas Councilmember **Preston Edwards** Councilmember Larry Jeffus John Willis Councilmember Councilmember Barbara Chick Councilmember Rick Williams

ABSENT: Councilmember Darren Lathen

STAFF PRESENT: City Manager Bill Dollar

City Attorney Brad Neighbor
City Secretary Mary J. Kayser
Deputy City Secretary Debra Booth

CALL TO ORDER: The meeting was called to order by Mayor Ronald E. Jones.

Councilmember Williams led the invocation and the pledge.

CEREMONIALS: Mayor Jones presented Environmental Waste Services with a

Special Recognition recognizing their First Place Green3

Whole Circle Award.

Mayor Jones presented Lee Lutz with a proclamation for

Residents Rights Week.

CONSENT AGENDA: All items marked with asterisks (**) on the Consent Agenda

were voted on at the beginning of the meeting. Motion was made by Councilmember Williams, seconded by Councilmember Chick to approve Consent Agenda Item #'s: 1, 2a, 2b, 2c, 2d, 4, 5 and 5a. Motion carried: 8 Ayes; 0 Nays;

and 0 Abstentions.

1. Approved** Approved of the minutes of the September 15, 2009 Regular

Meeting.

2a. Approved** Award the bid for Underground Electric Distribution

Maintenance (Bid No. 325-09) to U. S. Utility Contractors Co.,

Inc. in the amount of \$600,000.00.

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2b. Approved**

Award the bid for Olinger Unit #3 Turbine Control Valve Maintenance (Bid No. 433-09) to Technical Hardfacing & Machining in the amount of \$119,849.00; Mechanical Dynamics & Analysis in the amount of 14,555.00 and a Contingency of \$13,500.00 for a total of \$147,904.00.

2c. Approved**

Award the bid for 2009 Bridge Rehabilitation (Bid No. 454-09) to Rebcon, Inc. in the amount of \$798,797.00.

2d. Approved**

Award the bid to Re-Tube High Pressure Feedwater Heater at Olinger #2 (Bid No. 439-09) to R.C.E. Heat Exchangers, LLC in the amount of \$175,502.00; a Contingency of \$29,444.25 for a total of \$204,946.25

3. Approved**

Ordinance 6357 approving a change in zoning from Planned Development District (PD) District 86-5 for Single Family and Industrial Uses to Single Family (SF/7/G/3) District and a Specific Use Permit for a Kindergarten, Preschool or Child Care Center on a 8.319-acre tract of land, located south of Commerce Street and east of Curtis Drive. (Zoning File No. 09-30, New Safe Haven Church)

4a. Approved**

Ordinance 6358 removing existing school speed zone on Belt Line Road at Sam Houston.

4b. Approved**

Ordinance 6359 changing parking restrictions on the west side of South Ninth Street adjacent to the First United Methodist Preschool from 8:00 a.m. – Noon to 8:00 a.m. – 2:30 p.m.

4c. Approved**

Restricting parking on the east side of Elliot Avenue adjacent to the Naaman Forest High School Softball Field.

5. Approved**

Resolution 9898 accepting a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) – Click It or Ticket Grant in the amount of \$65,000.

5a. Approved**

Resolution 9899 authorizing the Mayor to execute a Deed Without Warranty for the sale of property located at 311, 313, and 315 Parker, Garland, Texas to Sims Chapel Missionary Baptist Church..

6. Approved

7.

8.

Hold a public hearing on the following zoning case:

Consider the application of Charlie Shearer, requesting approval of an amendment to Planned Development (PD) District 07-59 for General Business Uses regarding signage. The property is located at 650 West Avenue D. (File 09-35)

The proposal is for approval of an amendment to Planned Development District 07-59 for General Business uses to allow for a change in the required setback regarding signage. At the September 14, 2009 meeting, the Plan Commission (by a 6 to 0 vote) recommended approval of the request as recommended by staff.

Mayor Jones opened the public hearing at 7:12pm. Speaking on this item was Neil Montgomery, Senior Managing Director of Development Services.

Motion was made by Mayor Pro Tem Cox and second by Councilmember Edwards to approve the application of Charlie Shearer, requesting approval of an amendment to Planned Development (PD) District 07-59 for General Business Uses regarding signage. The property is located at 650 West Avenue D. Motion carried: 8 Ayes; 0 Nays; and 0 Abstentions.

Consider appointments to Boards and Commissions.

The appointments for District 8 were postponed until October 20, 2009.

Citizen comments.

Don E. Howard, III
Marty W. Kaplan
Deborah Trevino
Jan Stoutimore
Jeanna Vaughn
Kelly Richert
Kathy Brawley
Susan Edwards
Terry Hall
Michelle Ferrer
Karen Tully
Sheryl Cutler
Garnell McMichael
Laura Konrath
Hope Barnfield

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The following registered support for ending the use of CO gas for euthanasia at the Garland Animal Shelter.

Leslie Petty

Hilda Klosteman

Rebeus Davis

John Pippin

Jarod Saye

Kim Bent

Kevin Saye

Leigha Carson

Jon Payne

Allison Payne

Cathy Zoch

Mary Bega

Belinda Carson

Jerry Brown

Sheila D. Brown

Jenene Justice

Merna Bishop

Mary Ellen May

Sherrie Montgomery

Rick Schmidt

Shannon Morgan

Stefanie Boles

N.C. Pinkston

Judy Boyko

Darrell Boyko

Jonnie England

Alice Reagan

Derek Willingham

Niloofar Asgharian

Susan Oakey

Edwin Perh

Rochelle Harris

Bill Olive

Mary E. Leon

Dale Klosterman

Parviz Mahdavi

Kathy Samels

Anne Fletcher

Meri-Lou Mahoney

Crystal Stockwell

Tanuja Mahdavi

Joyce Conley

Stacy Cisneros

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Yolanda Shewbirt Debra Elaine Solomon James E. Suire Betty L. Suire Harry Cohen Evelyn Cohen Diane McGinty Lee Lutz Ricke Martin Tanja Sewell-Pattist Lori Rogoloski Audrey Moses Stephanie Frizzell Stephanie Calbert Craig Calbert Joyce Boeck Dennis Boeck Silvana Smith

There being no further business to come before the City Council, Mayor Jones adjourned the meeting at 7:54 pm.

CITY OF GARLAND
Signed:
Mayor Ronald E. Jones
Attest:
Mary J. Kayser, City Secretary