The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Tuesday, March 6, 2012, in the Council Chambers at City Hall with the following members present:

Mayor

Mayor Pro Tem Councilmember Councilmember

Councilmember Councilmember

Councilmember Councilmember

Councilmember

STAFF PRESENT:

COUNCIL ABSENT:

City Attorney

Interim City Secretary

City Manager

**Recording Secretary** 

John Willis

**Brad Neighbor** Elaine Simpson Yvonne Naser

William E. Dollar

Ronald E. Jones

Preston Edwards

Laura Perkins Cox

Lori Barnett Dodson

Douglas Athas

Rick Williams

Larry Jeffus

Jim Cahill

CALL TO ORDER:

The meeting was called to order by Mayor Ronald E. Jones. Mayor Pro Tem Edwards led the invocation and the pledge.

**CEREMONIALS:** 

Mayor Jones presented a Special Recognition to Delores Bell,

owner of Books N' Stuff books and gifts store.

Mayor Jones presented a Proclamation regarding SWAC Week

to representatives from GISD.

Mayor Jones presented a Proclamation regarding American

Red Cross Month.

Mayor Jones presented a Proclamation regarding Purchasing and Supply Management Month to Gary Holcombe with City

of Garland Purchasing Department.

Mayor Jones recognized the City of Garland Employees donation check to the United Way.

CONSENT AGENDA:

All items marked with asterisks (\*\*) on the Consent Agenda were voted on at the beginning of the meeting. Motion was made by Mayor Pro Tem Edwards and second by Council Member Cox to approve Consent Agenda Item #'s: 1, 2.a., 2.b., 2.c., 2.d., 3.b., 3.c., 3.d., 4., 5., 7., 8., 9., 10., 11.and 12 - with item #3.a. to be pulled for separate vote and #6 to be pulled for separate consideration and vote.

Motion carried: 8 Ayes; 0 Nays; and 0 Abstentions.

1. Approved\*\*

Approve the minutes of the February 21, 2012 Regular

Meeting.

2. a. Approved\*\*

Consider approval of the following bids:

Police Vehicles

Bid No. 2672-12

Caldwell County Chevrolet \$117,372.00

This request is for the purchase of four vans and two trucks to

be used by the Police Department in daily operations.

2.b. Approved\*\*

Grass Sod Purchase and Installation Bid No. 2740-12

Anderton Grass Inc. \$111,050.00

This request is for the purchase, delivery, and installation of grass sod to restore vegetation in the right-of-way upon completion of alley and street construction projects throughout

the City.

2.c. Approved\*\*

Construction Equipment

Bid No. 2781-12

\$182,715.00

Kirby-Smith Machinery

62,313.00

Holt Cat TOTAL

\$245,028.00

This request is for the purchase of two excavators and one wheel loader for use by the Water Department in daily operations.

2.d. Approved\*\*

Peripheral Equipment for Bid No. 2793-12 New Police Patrol Vehicles

GT Distributors, Inc. \$123,024.10

This request is for the purchase of peripheral equipment for the new Chevrolet Caprice police patrol vehicles.

Public hearings were previously conducted for the following zoning cases. Council approved the requests and instructed staff to bring forth the following ordinances for consideration.

3.a. Approved by separate vote

Ordinance #6520, zoning File No. 11-32, Garland Eastgate; applicant, amending the zoning laws of the City of Garland by approving a change of zoning from Planned Development (PD) Districts 06-37 and 07-70 for Freeway Uses to a Planned Development (PD) District for Multi-Family and Freeway Uses, and a Concept Plan for Multi-Family Uses and Freeway Uses on a 14.6-acre parcel located north of Marketplace Drive, west of Saturn Road.

There was no separate discussion.

Vote on the motion:

Ayes: Jones, Athas, Cox, Dodson, Cahill and Williams.

Nays: Jeffus and Edwards

Motion carried: 6 Ayes; 2 Nays; and 0 Abstentions.

3.b. Approved \*\*

Ordinance # 6521, zoning File No. 12-03, Garland Cinema Inc.; applicants, amending the zoning laws of the City of Garland by approving a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District on a 0.5-acre lot located at 3310 W. Walnut Road.

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3.c. Approved\*\*

Ordinance #6522, Zoning File No. 12-04, Perren Gasc (AAMCO); applicants, amending the zoning laws of the City of Garland by approving a change of zoning from Planned Development (PD) District 80-42 for General Business Uses to a Planned Development (PD) District for Commercial-1 Uses, and a Specific Use Permit for an Automotive Repair, Major on a 0.49-acre lot located at 5615 Broadway Boulevard.

3.d. Approved\*\*

Ordinance # 6523, Zoning File No. 12-05, Harrison French & Associates (7-11 Stores); applicants, amending the zoning laws of the City of Garland by approving a Specific Use Permit for a Retail Sales with Gasoline Pumps on property zoned Shopping Center (SC) District on a 1.6-acre lot located at 2510 Belt Line Road.

4. Approved\*\*

Resolution # 10034 approving and funding Neighborhood Vitality Matching Grant projects. At the February 20, 2012 Work Session, Council considered a recommendation from the Community Services Committee and staff for approval of six Neighborhood Vitality Grant applications.

5. Approved\*\*

Resolution #10035 authorizing the City Manager to accept a grant in the amount of \$51,498 through the Victims of Criminal Acts of 1984 grant program. This grant funds the continuation of the Victims Assistance Advocacy Program which provides assistance to victims of violent crime and domestic abuse.

6. Approved

Ordinance # 6524 authorizing an amendment to the 2011-12 Operating Budget (Budget Amendment No. 2), providing for supplemental appropriation of funds for various funds of the City. At the March 5, 2012 Work Session, Council considered an amendment to the 2011-12 Operating Budget to provide additional funding for a one-time lump sum distribution of salaries to the various funds of the City. The \$3,561,014 required to cover the increase in appropriations is available due to better than expected results for Fiscal Year 2010-11 and reserve balances in excess of that required by Council for the

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various fund balances of the City, of the \$3.6 million required, \$2.3 is required for the General Fund.

Mayor recognized Steve Miller, 1918 Travis, Garland, TX. Mr. Miller expressed concern about the fairness of this one time lump-sum payment to all employees because some employees have received 'second-language' pay increases in the last three years.

Councilmember Cox clarified with staff that the one-time lump sum is based upon base pay and second language pay is not part of base pay.

Motion made by MPT Edwards, second by Councilmember Cox, to approve item #6 as presented.

Motion carried: 8 Ayes; 0 Nays; and 0 Abstentions.

7. Approved\*\*

Ordinance #6525 amending Ordinance No. 6515 of the City of Garland to amend the date(s) and time(s) for the run-off election (including early voting) for the May 12, 2012 General Election. As a result of statewide redistricting and attendant litigation, the election officials have changed the date for proposed run-off election (if needed) for the May 2012 General Election from June 16, 2012 to June 23, 2012.

8. Approved\*\*

Consider approving by minute action the Injury Leave Extension for Police Officer Mindy Staggs. At the March 5, 2012 Work Session, Council considered Injury Leave Extension for Police Officer Mindy Staggs. During the past year, Officer Mindy Staggs sustained multiple injuries while on duty and performing her duties as a Garland Police Officer. Officer Staggs is not yet able to return to work after multiple medical procedures and/or treatments.

9. Approved\*\*

Consider approving by minute action an employment agreement with William E. Dollar to continue his employment in the position of City Manager.

10. Approved\*\*

Consider approving by minute action an employment agreement with Brad Neighbor to continue his employment in the position of City Attorney.

11. Approved\*\*

Consider approving by minute action an employment agreement with Craig J. Hametner to continue his employment in the position of City Auditor.

12. Approved\*\*

Consider approving by minute action the appointment of Robert J. Beasley as chief judge and Sonja H. Galbraith as associate judge of the Garland Municipal Court each for a term of two years commencing on January 1, 2012.

Items for individual consideration:

13.a. Withdrawn by applicant Roy Gaines

Hold public hearings on the following zoning cases:

Consider the application of All American Scrap Metal, requesting approval of a Specific Use Permit for a Recycling Center on property zoned Commercial-2 (C-2) District. The property is located at 200 Rayburn Street. (File 12-06) The proposal is for approval of a Specific Use Permit for a Recycling Center on property zoned Commercial-2. At the February 13, 2012 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the Specific Use Permit for a period of five years tied to All American Scrap Metal.

13.b. Held and Approved

Consider the application of Firewheel Master Partnership Ltd, requesting approval of an amendment to items VII.E.2 and 9 and the accompanying exhibit (Exhibit D) of Planned Development Districts 02-25 and 03-53 regarding regulation of freestanding signs. The property is located north of President George Bush Turnpike and east of Lavon Drive. (File 12-08) Requested amendment to Planned Development Districts 02-25 and 03-53 regarding the regulation of freestanding signs. At the

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February 13, 2012 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the amendment as recommended by staff.

Neil Montgomery, Senior Managing Director of Development Services presented the staff report explaining that this request relates to signage near the Firewheel Town Center.

Mayor opened the Public Hearing at 7:32 p.m.

Jay Grogan, 6331 Desco, Dallas, TX 75225, spoke for the applicant.

Motion by Councilmember Athas, second by Councilmember Jeffus to close the Public Hearing at 7:40 p.m. and to approve the request as presented.

Motion carried: 8 Ayes; 0 Nays; and 0 Abstentions.

Consider appointments to Boards and Commissions.

Mayor Jones explained that he would preside over the appointment of MPT Edwards appointment, Mr. Stuyvesant to the South Garland TIF Board, then MPT Edwards would preside over the remaining appointments including Mayor Jones appointment.

Mayor Jones recognized MPT Edwards who appointed Eric Dean Stuyvesant to the South Garland TIF Board.

MPT Edwards recognized City Manager Bill Dollar who appointed Marisol Trevizo to the Civil Service Commission

MPT Edwards recognized Mayor Jones who appointed Dwight Vincent Harry to the Parks and Recreation Board.

MPT Edwards recognized Councilmember Jeffus who appointed John David O'Hara to the Plan Commission

Appointments carried: 8 Ayes; 0 Nays; and 0 Abstentions.

14.

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	Mayor Jones resumed chairing the meeting.
15.	Citizen comments.
	Mr. Darren Lathen, 213 Stillmeadow Drive, Garland, TX: spoke about water restrictions. He disagreed with the new policy which modifies days of the week allowed for watering. Mr. Lathen suggested that the Council raise water rates in a graduated fashion as the drought stages increase to discourage water waste.
There being no further busine meeting at 7:45 pm.	ess to come before the City Council, Mayor Jones adjourned the
CITY OF GARLAND	
Signed:	
Mayor Ronald E. Jones	
Attest:	

Elaine Simpson, Interim City Secretary