The City Council of the City of Garland, Texas convened in regular session at 7:00 p.m. on Wednesday, October 2, 2013, in the Council Chambers at City Hall with the following members present:

Mayor Douglas Athas
Mayor Pro Tem Lori Barnett Dodson
Councilmember Marvin 'Tim' Campbell

Councilmember Anita Goebel

Councilmember Stephen W. Stanley

Councilmember B.J. Williams
Councilmember John Willis
Councilmember Scott LeMay
Councilmember Jim Cahill

STAFF PRESENT: City Manager William E. Dollar

Deputy City Attorney Mike Betz City Secretary Lisa Palomba

CALL TO ORDER: The meeting was called to order by Mayor Douglas Athas.

Mayor Athas led the Invocation and Pledge of Allegiance.

CEREMONIALS: 1) Mayor Athas presented a proclamation for Hispanic

American Heritage Month. Toney Torres accepted the proclamation. 2) State Representative Angie Chen Button presented former Garland Mayor Ronald Jones, accompanied by his wife Peggy, and former Garland Councilman Rick Williams, Texas House Resolution No. 284 recognizing many years of dedicated public service to the City of Garland and

State of Texas.

ANNOUNCEMENTS: Mayor Athas commented on the following: 1) Garland Parks

and Recreation Department hosting "Garland's Gone Camping," to be held at Audubon Park, October 19-20, 2013 and 2) Councilman Williams and Councilman Stanley will host a small business owner's informational session at the South

Garland Branch Library from 8 to 9 a.m. on October 21, 2013.

Additionally, Councilwoman Goebel recognized all persons involved with the establishment of the Garland Marketplace as well as the October 5, 2013 "Fall for Garland" event, and Councilman Williams announced he will be hosting a Community Town Hall Meeting for District 4 residents on October 22, 2014 from 6:30 to 8:00 p.m. at the South Garland

Branch Library on the topic of Crime Prevention.

**CONSENT AGENDA:** 

All items marked with asterisks (\*\*) on the Consent Agenda were voted on in a single motion at the beginning of the meeting. A motion was made by Councilman Campbell, seconded by Councilman Stanley, to approve Items: 1, 2a, 2b, 2c, 3a, 3b, 3c, and 3d. A vote was cast and the motion carried with 9 Ayes; 0 Nays.

1. APPROVED\*\*

City Council minutes of the September 17, 2013 Regular Meeting.

2a. APPROVED\*\*

Award of Bid No. 3727-13 in the amount of \$175.977 to Techline, Inc. with an optional contingency fee of \$17,000 for a total award of \$192,977 to provide disconnect switches and associated materials for use at the TMPA Bryan East, Dansby, and Greenville Substations.

2b. APPROVED\*\*

Award of Bid No. 3859-13 in the amount of \$129,255 to Open Systems International, Inc. to renew GP&L's Energy Management System/Generation Management System to the latest software for interfacing compatibility with ERCOT.

2c. APPROVED\*\*

Award of Bid No. 3891-13 in the amount of \$6,697,342 to Hill & Wilkinson General Contractors to provide a Guaranteed Maximum Price contract for Construction Manager at Risk Services for the parking structure as part of the City Center Development.

3a. APPROVED\*\*

Ordinance No. 6650 amending the zoning laws of the City of Garland by approving a Detail Plan and a Specific Use Permit for Tire Dealer, No Outside Storage, on a 1.14-acre tract of land zoning Planned Development (PD) District 06-37 for Freeway Uses and in the IH 635 Overlay District located at 1500 Eastgate Drive. (Zoning File No. 13-33, Discount Tire)

3b. APPROVED\*\*

Ordinance No. 6651amending the zoning laws of the City of Garland by approving an amendment to Planned Development (PD) District 74-65 for Townhouse Uses and an amended Detail Plan for single family home on a 0.578-acre tract of land located at 2100 Windy drive, north of Stoneleigh Drive and east of Windy Lane. (Zoning File No. 13-24, Joann Tran)

3c. APPROVED\*\*

Ordinance No. 6652 amending the zoning laws of the City of Garland by approving a Specific Use Permit for Reception Facility in a 0.13-acre tract of land zoned Shopping Center (SC) District, located at 219 West Kingsley Road, Suite 322. (Zoning File No. 13-36, Loveth/Tony)

3d. APPROVED\*\*

Ordinance No. 6653 amending the zoning laws of the City of Garland by approving a Specific Use Permit for a Kindergarten, Preschool, or Childcare Center on an approximate 3-acre tract of land zoned Single Family (SF-7) District, located at 2600 Broadway Boulevard. (Zoning File No. 13-37, Willis Early Learning Center)

## ITEMS FOR INDIVIDUAL CONSIDERATION:

4. APPROVED

Councilman Cahill nominated Jed Johnson to serve as Interim City Auditor until such a time as Council appoints a City Auditor. A vote was cast and the nomination carried with 9 ayes, 0 nays.

5. PUBLIC HEARING

Garland Chamber of Commerce CEO Paul Mayer presented background information regarding the proposed economic incentive agreement for Advanced Health and Rehab Center of Garland. Mayor Athas opened the public hearing. No one spoke during the public hearing.

5a. APPROVED

Councilman Stanley made a motion, seconded by Councilman Willis, to close the public hearing and to approve Ordinance No. 6654 designating an area as a reinvestment zone for commercial/industrial tax abatement; making certain findings thereon; authorizing the City Manager to execute an agreement with the applicant regarding the reinvestment zone. A vote was cast and the motion carried with 9 ayes, 0 nays.

5b. APPROVED

Marie Pfeifer representing Advanced Health Care Solutions answered questions from Council regarding quality control of Councilman Stanley, seconded the proposed new facility. Mayor Tem Dodson. moved bv Pro to approve Resolution No. 10121 authorizing the City Manager to execute a Tax Abatement Agreement with 1101 Colonel Drive LLC doing business as Advanced Health Rehab Center of Garland (hereinafter "Advanced Health"), in substantially the form presented for consideration with the addition of the following paragraph in Exhibit A: "Quality Standards. After the Owner's relocation of all patients from the existing facility to the new facility, the Owner shall annually report to the City its score from the Texas Department of Aging and Disability Services Quality Reports System ("QRS Score"). If the QRS Score is below the state average QRS Score in any annual report, Owner shall be in default under this agreement." A vote was cast and the motion carried with 9 ayes, 0 nays.

## 6a. HELD & APPROVED

Director of Planning Anita Russelmann provided background information regarding the application of Mercy Realty, LLC requesting approval of an amended Detail Plan on a property zoned Planned Development (PD) District 01-23 for Freeway Uses and in the SH 190 Overlay. The property is located at 6520 President George Bush Turnpike. (File No. 13-39)

Mayor Athas opened the public hearing to accept public input. No one spoke during the public hearing. Councilman Campbell, seconded by Councilwoman Goebel, made a motion to close the public hearing and to approve the request as recommended by the Plan Commission. Staff will bring forth an ordinance for formal consideration at a future meeting. A vote was cast and the motion carried with 9 ayes, 0 nays.

## 6b. HELD & APPROVED

Director of Planning Anita Russelmann provided background information regarding the application of King Family Medical requesting the approval of a Detail Plan on a property zoned Planned Development (PD) District 99-04 for Shopping Center Uses and in the SH 190 Overlay. The property is located at the southwest corner of Lavon Drive and Bunker Hill Road. (Zoning File 13-41)

Mayor Athas opened the public hearing to accept public input. Chris Lam, Engineer, spoke on behalf of the applicant during the public hearing. Councilman Campbell, seconded by Councilwoman Goebel, made a motion to close the public hearing and to approve the request as recommended by the Plan Commission. Staff will bring forth an ordinance for formal consideration at a future meeting. A vote was cast and the motion carried with 9 ayes, 0 nays.

## 6C. HELD & APPROVED

Director of Planning Anita Russelmann provided background information regarding the application of Southern Blues requesting approval of a Specific Use Permit for a Tattooing/Body Piercing Establishment on a property zoned Industrial 1 (I-1) District. The property is located at 1901 South Jupiter Road, Suite 103. (Zoning File No. 13-42)

Mayor Athas opened the public hearing to accept public input. The following persons spoke during the public hearing: Applicants Jimi and Johanna Newton. Council discussion followed. Mayor Pro Tem Dodson, seconded by Councilman Cahill, made a motion to deny the request without prejudice. A vote was cast and the motion failed 2 ayes, 7 nays (Athas; Campbell; Goebel; Stanley; Williams; Willis; LeMay).

Councilman Willis made a made a motion, seconded by Councilman Stanley, to approve the request for six years including all other requirements as recommended by the Plan Commission. A vote was cast and the motion carried with 7 ayes and 2 nays (Dodson, Cahill).

7. APPOINTMENTS

Mayor Pro Tem Dodson nominated Robert Vera for reappointment to the Plan Commission. A vote was cast and the motion carried with 9 ayes, 0 nays.

8. CITIZEN COMMENTS

The following person provided comments: Lerone Landis; Carmarion Anderson; Patti Fink; and Stan Winterbauer.

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 8:56 p.m.

CITY OF GARLAND

Douglas Athas, Mayor

Attest:

Lisa Palomba, City Secretary