GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, November 7, 2023, in the Council Chambers at the William E. Dollar Municipal Building, 200 North Fifth Street, Garland, Texas, with the following members present:

Present:	Mayor Scott LeMay
	Mayor Pro Tem Jeff Bass
	Deputy Mayor Pro Tem Ed Moore
	Council Member Deborah Morris
	Council Member B.J. Williams
	Council Member Margaret Lucht
	Council Member Carissa Dutton
	Council Member Dylan Hedrick
	Council Member Chris Ott
Staff Present:	City Manager Jud Rex
	Deputy City Manager Mitch Bates
	Assistant City Manager Andy Hesser
	Assistant City Manager Crystal Owens
	Assistant City Manager Phillip Urrutia
	City Attorney Brian England
	City Secretary Eloyce RenÃ© Dowl

LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

It is the custom and tradition of the members of the City Council to have an invocation and recital of the Pledge of Allegiance prior to the beginning of the meeting. Members of the audience are invited to participate. However, members of the audience are not required to participate. The decision to participate is strictly a matter of personal choice and has no bearing on matters to be considered by the City Council and will not affect the decisions to be made during the meeting.

MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

The Mayor may present proclamations and recognize attendees or award winners, and may make announcements regarding upcoming City events and matters of interest to citizens. There will be no Council deliberations or votes on these matters.

Crystal Lazo, Animal Specialist, presented the Pet of the Month.

Mayor LeMay presented a proclamation to Salvation Army representatives: Bernard Tolen and Emily Stewart, proclaiming the month of November to be "Red Kettle Month."

CONSENT AGENDA

All items under this section are recommended for approval by a single motion of Council, without discussion. Council has had the opportunity to review each of these items at a previous work session and approval of the consent agenda authorizes the City Manager to implement each item. The Mayor

will announce the agenda and provide an opportunity for members of the audience and the City Council to request that an item be removed and considered separately.

The motion was made by Council Member Lucht to approve the Consent Agenda as presented, excluding Item #5, seconded by Mayor Pro Tem Bass. The motion carried:

Vote: 9 ayes, 0 nays

1. **APPROVED** **Consider approval of the minutes of the October 17, 2023, Regular Meeting.**

2. **Consider approval of the following bids:**

a. **APPROVED** **MonoChlor Residual Control System** **Bid No. 0011-24**

PSI Water Technologies	**$269,245.00**

This request is for the purchase and installation of a chlorine boosting system at McCree elevate storage tank. The tank is located in the southwest area of the water system and is needed to maintain chlorine residual levels in the area.

b. **APPROVED** **Forest Lane Elevated Storage Tank Rehabilitation** **Bid No. 0988-23**

O & J Coatings, Inc.	**$338,100.00**
Optional Contingency	**50,000.00**
TOTAL:	**388,100.00**

This request is to provide rehabilitation to the 0.35 MG Forest Lane elevated storage tank. The project includes interior and exterior tank coating systems and miscellaneous structural repairs. An optional contingency is included for any additional work that may be required.

c. **APPROVED** **Rollingwood Commons Water and Wastewater Mains Replacement** **Bid No. 1083.23**

Trinity Miller Utility and Construction, LLC	**$1,195,847.50**
Optional Contingency	**180,000.00**
TOTAL:	**$1,375,847.50**

This request is to provide construction services to replace a 50-year-old 6-inch cast iron water line and clay tile sanitary sewer with approximately 2,965 linear feet of 8-inch PVC water line and 2,166 linear feet of 8-inch PVC sanitary sewer. The project also includes removing and replacing approximately 1,168 square yards of paving and sidewalk, water and sewer services, fire hydrants, manholes, and channel reconstruction. An optional contingency is included for any additional work that may be required.

d. **APPROVED** **GP&L Emergency Water Trailers and Condensate Polishing Tanks** **Bid No. 0869-20**

Veolia WTS Services USA, Inc.	**$60,000.00**

The request is to approve a change order to the current Blanket Order BL 9497 for emergency water trailer and condensate polishing tank equipment rental. The rental equipment is utilized when backup water is needed at the GP&L production plants. Equipment needs and additional water demand have increased the need for these services. This change order will apply to the remaining renewal of the service contract.

e. **APPROVED** **GP&L Girvin Switch Station Materials** **Bid No. 1262-23**

KBS Electrical Distributors, Inc.	**$1,377,365.54**

Optional Contingency	**137,736.65**
TOTAL:	**$1,515,102.09**

This request is for the purchase of materials needed for the construction of the GP&L Girvin Switch Station. An optional contingency is included for any additional materials that may be required. This is part of the approved GP&L Girvin Switch Station CIP project.

f. APPROVED **GP&L Oakland Substation Control Enclosure** **Bid No. 1036-23**

Crown Texas, Inc.	**$1,697,087.05**
Optional Contingency	**169,708.70**
TOTAL:	**$1,866,795.75**

This request is for the purchase of a control enclosure for the GP&L Oakland Substation as part of the approved Oakland Substation Upgrade CIP project. The enclosure will provide all-weather protection and security for the control equipment, switchboard panels, batteries, battery chargers, supervisory control, meters, and relays. An optional contingency is included for any additional materials that may be required.

g. APPROVED **GP&L Holford Switch Station Engineering Services** **Bid No. 0109-24**

POWER Engineers **$1,925,000.00**

This request is to obtain engineering services associated with the construction of the GP&L Holford Switch Station. This is part of the approved GP&L Holford Switch Station CIP project.

3. Public hearings were previously conducted for the following zoning case(s). Council approved the requests and instructed staff to bring forth the following ordinances for consideration.

a. APPROVED **Z 22-74, NetInversion, LLC (District 4)**

Ordinance No. 7474 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Multi-Family-1 (MF-1) District to a Planned Development (PD) District for Multi-Family-1 (MF-1) Use and 2) a Detail Plan for a Multi-Family (condominium) development on a 1.00-acre tract of land located at 5324 Broadway Road; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

b. APPROVED **Z 23-27, EDG Architects (District 3)**

Ordinance No. 7475 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Specific Use Provision for a Car Wash, Automated/Rollover Use and 2) a Detail Plan for a Car Wash, Automated/Rollover Use on a 1.204-acre tract of land zoned Planned Development (PD) District for Community Retail (CR) District Uses and located at 4249 Bobtown Road; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

c. APPROVED **Z 23-30, Momentum Tattoo LLC (District 2)**

Ordinance No. 7476 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a Tattooing/Body Piercing Establishment Use on a property zoned Downtown (DT) District & Downtown Square (DS) Sub-District located at 532 Main Street, Suite B; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date

4. APPROVED **School Zone on Miller Road**

Ordinance No. 7477 establishing a speed zone on Miller Road between Parkhurst Drive and Country Club Road.

5. **POSTPONED** **2023 Edward Byrne Memorial Justice Assistance Grant (JAG) and Memorandum of Understanding (MOU)**

Approve a resolution authorizing the Police Department to apply for the FY 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) program and to allow the City Manager to execute a Funds Sharing and Fiscal Agency Agreement Memorandum of Understanding with the City of Dallas for the grant.

This item was postponed and will be addressed on a future agenda.

6. **APPROVED** **TxDOT Impaired Driving Mobilization (IDM) Grant 2024**

Resolution No.10598 authorizing the City Manager to accept the State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Impaired Driving Mobilization (IDM) Grant for FY 2024 in the amount of $15,000.54.

7. **APPROVED** **Resolution approving a schedule for City Council meetings in Calendar Year 2024; and providing an effective date.**

Resolution No. 10599 establishing a schedule for City Council meeting dates for Calendar Year 2024. At the October 9, 2024, Work Session, Council considered the meeting dates for the 2024 calendar year.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

Anyone wishing to speak for, against, or on agenda items must fill out a speaker card and give it to the City Secretary before speaking (cards are located at the entrance to the Council Chambers). The Mayor will recognize speakers; he may impose a time limit and may provide for rebuttal. All comments and testimony are to be presented from the podium.

8. Hold public hearings on:

a. APPROVED Consider a request by Abreham Tessema to amend a Specific Use Provision for a truck storage facility. The site currently contains a Specific Use Provision for a Truck/Bus Storage Use. However, the applicant proposes an amendment to the site layout. The site is located at 2430 Lonnecker Drive in District 5.

Consider and take appropriate action on the application for Abreham Tessema, requesting approval of 1) a Specific Use Provision Amendment for a Truck/Bus Storage use on a property zoned Industrial (IN) District with a Specific Use Provision (S 20-28) for Truck/Bus Storage and 2) a Plan for a Truck/Bus Storage use. This property is located at 2430 Lonnecker Drive. (File Z 22-58, District 5)

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Ephram Mergstab, applicant.

There was discussion by the Council.

The motion was made by Council Member Lucht to approve the request with a 20-year Specific Use Provision, seconded by Council Member Lucht. The motion carried:

Vote: 9 ayes, 0 nays

b. APPROVED Consider a request by CAT Scale Company to allow the addition of a truck scale and a freestanding sign for the truck scale on the subject property. The site is located at 1910 South Jupiter Road in District 6.

Consider and take appropriate action on the application for CAT Scale Company, requesting approval of 1) an Amendment to Planned Development (PD) District 16-10 to allow a truck scale and a freestanding sign and 2) a Detail Plan to allow a truck scale and a freestanding sign to the existing development. This property is located at 1910 South Jupiter Road. (File Z 23-20, District 6)

The staff report was presented by William Guerin, Director of Planning. The Speaker on this item was Steve Goecke, applicant.

Mr. Guerin provided an explanation for the staff denial based on the Garland Development Code standards as opposed to the Plan Commission approval.

There was discussion by the Council Members Lucht and Dutton on the prospect of increasing the number of trucks at the location because of the scale. Council Members Hedrick and Ott opined that the location is appropriate for the use.

The motion was made by Council Member Dutton to deny the request, seconded by Council Member Lucht. The motion failed:

Vote: 5 nays, 4 ayes (Deputy Mayor Pro Tem Moore and Council Members: Dutton, Lucht and Morris)

The motion was made by Mayor Pro Tem Bass to approve the request, seconded by Council Member Hedrick. The motion carried:

Vote: 5 ayes, 4 nays (Deputy Mayor Pro Tem Morris and Council Members: Dutton, Lucht and Morris)

c. APPROVED **Consider a request by Angie Lemus to allow freestanding signs and attached signs above the first floor of an existing multi-family development. The site is located at 305 River Fern Avenue in District 1.**

Consider and take appropriate action on the application for Angie Lemus, requesting approval of 1) an Amendment to Planned Development (PD) District 05-60 and Planned Development (PD) District 12-19 to add attached signs and freestanding signs and 2) a Detail Plan to add attached signs and freestanding signs. This property is located at 305 River Fern Avenue. (File Z 23-24, District 1)

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Curtis Horak, applicant.

There was discussion by the Council.

The motion was made by Mayor Pro Tem Bass to approve based on staff recommendation, seconded by Council Member Morris. The motion carried:

Vote: 9 ayes, 0 nays

Mayor LeMay recessed the meeting at 8:27 p.m.

d. APPROVED **Consider a request by First Place Foods to allow a food processing facility from a newly constructed building. The site is located at 751 South International Road in District 6.**

Consider and take appropriate action on the application for First Place Foods, requesting approval of a 1) Specific Use Provision for a Food Processing & Storage Use on a property zoned Planned Development (PD) District 93-01 for Industrial Uses; and 2) a Plan for a Food Processing & Storage Use. This property is located at 751 South International Road. (File Z 23-34, District 6)

Mayor Lemay reconvened the meeting at 8:40 p.m.

The staff report was presented by William Guerin, Director of Planning, The speaker on this item was Pat Hunn, applicant.

There was discussion by the Council.

Council Member Morris opined on the longstanding, positive relationship with the applicant and expressed gratitude for them remaining in Garland.

The motion was made by Council Member Dutton to approve the request, seconded by Council Member Morris. The motion carried:

Vote: 9 ayes, 0 nays

e. APPROVED **Consider a request by Bohler Engineering TX, LLC to allow an expansion of the existing Walmart Garden Center. The site is located at 5302 North Garland Avenue in District 1.**

Consider and take appropriate action on the application for Bohler Engineering TX, LLC., requesting approval of 1) an amendment to Planned Development (PD) District 23-15 for Community Retail (CR) Uses to expand the existing Walmart Garden Center and 2) a Detail Plan of an expansion of the existing Walmart Garden Center on a property zoned Planned Development (PD) District 23-15. This property is located at 5302 North Garland Avenue. (File Z 23-35, District 1)

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Dean Cardwell, Bohler Engineering.

The motion was made by Mayor Pro Tem Bass to approve the request, seconded by Council Member Williams. The motion carried:

Vote: 9 ayes, 0 nays

9. **Consider appointments to Boards and Commissions.**

Board members are selected for two-year terms by the City Council in August. Terms are usually staggered whereby at least half of the membership has board experience. Board members are appointed based on qualifications.

Mayor Pro Tem Bass was given the floor and read both nominations into the record. A vote was cast with the following result:

Vote: 9 ayes, 0 nays

a. **Animal Services Board**

- Ashley Thompson

b. **Mayor Scott LeMay**

- Glenna Saygidia - Community Multicultural Commission

10. **Citizen comments:** There were no speakers on this item.

11. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:57 p.m.

Submitted By:

_____
Scott LeMay, Mayor

_____
Eloyce Rene Dowl, City Secretary