

**WORK SESSION MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
September, 3, 2008**

The Irving City Council met in work session September, 3, 2008. The following members were present/absent:

Attendee Name	Organization	Title	Status	Arrived
Herbert Gears	Irving City Council	Mayor	Present	
Beth Van Duyne	Irving City Council	Councilwoman	Present	
Allan Meagher	Irving City Council	Councilman	Present	
Lewis Patrick	Irving City Council	Councilman	Present	
Rick Stopfer	Irving City Council	Councilman	Present	
Sam Smith	Irving City Council	Councilman	Present	
Joe Philipp	Irving City Council	Councilman	Present	
Rose Cannaday	Irving City Council	Councilwoman	Present	
Thomas Spink	Irving City Council	Councilman	Present	

Mayor Herbert Gears called the meeting to order at 12:10 PM.

DISCUSSION TOPIC

Executive Luncheon (11:30 a. m. - 12:00 p. m.)

1 Review of Regular Agenda

The Council reviewed the agenda and the following directions were noted.

1 Public Hearing -- Public Hearing for the Fiscal Year 2008-09 Budget

Councilman Joe Philipp requested a summary of the proposed budget be presented to the public at the regular meeting.

13 Resolution -- Temporary Use Permit - to Allow Verizon Wireless to Install a Cellular Antenna on Wheels Located at 2410 East Airport Freeway, David L. Frank, Applicant

Mayor Herbert Gears requested a presentation on this item.

Urban Development Manager Steven Reed noted that this is needed to provide cell phone coverage during football games at the stadium.

Councilman Allan Meagher asked if the antenna could be lowered between events.

Councilwoman Van Duyne asked if this structure could be seen from homes.

Mr. Reed answered that there are just a few homes on Comano.

David Frank, the applicant, said he will provide information to the Council at the Regular meeting on the ability to lower the antenna between games.

16 Resolution -- Authorizing an Increase in the Maximum Amount of the Line of Credit Loan Facility Under the First Amendment to Loan Purchase and Sale Agreement with Comerica Bank

Mayor Gears requested a presentation on this item.

Real Estate Services Manager Doug Janeway clarified terms of the agreement.

Councilman Philipp questioned the purchase contract for Vista Del Lago Apartments.

Manager Janeway confirmed that Heritage District, LLC has a contract pending with the property owner of Vista Del Lago Apartments.

- 20** Resolution -- Approving Addendum No. 2 to the Engineering Services Agreement with Halff Associates, Inc., for the Analysis of the Irving Flood Control District, Section I for the Addition of a Bridge Hydraulic Study for the Trinity Railway Express (TRE) Bridge and the West Rock Island Road Bridge Over Bear Creek

City Engineer Mike Walter described the Bridge Hydraulic Study at the request of Council.

- 25** Resolution -- Approving a Purchase Contract for the Acquisition of 8.32 Acres of Land Located at 3701 Conflans Road - Douglas Johnson Conflans Investments, Property Owner

Construction & Building Services Director Casey Tate described the new alternative site for the Southwest Aquatic Center which will include jogging trails and a new pedestrian crossing from the park.

Councilman Patrick commended the staff for offering this solution.

- 27** Resolution -- Authorizing the Mayor to Execute a Right-Of-Entry Agreement with Texas Stadium Corporation to Utilize City-Owned Property Located at 215 East Airport Freeway for Employee Parking

Real Estate Services Manager Doug Janeway described the agreement and stated that the city is demolishing the hotel adjacent to this parking, and Texas Stadium Corporation has agreed to remove the asphalt and establish grass on the property to complete the project. This represents a cost saving to the City.

- 29** Resolution -- Approving a Memorandum of Agreement for the Release and Relinquishment of Access Rights Along State Highway 183 and a Drainage Easement on Jaycee Park Property Located at 2000 West Airport Freeway to the Texas Department of Transportation for the State Highway 183 Improvement Project

Mayor Gears asked if this will solve the Toyota Dealership space and access problems.

Mr. Janeway responded that this will not address the impact of the SH 183 project to Toyota. He then described the terms of the agreement. He stated that item #69 is a companion item and is a required public hearing.

Public Works Director Jim Cline confirmed that TXDot will install a sound wall along State Highway 183 and fund a new entrance to the park on the south side.

Councilwoman Rose Cannaday asked if the new plans will increase the available parking.

Managing Director Paul Gooch stated that the plans will include new parking and a new playground.

- 32** Resolution -- Supporting an Application for a Municipal Setting Designation and the Filing of a Restrictive Covenant by Schnee-Morehead, Inc., for 111 North Nursery Road that Prohibits the Use of Groundwater

Water Utilities Director Todd Reck described the designation process and noted that there was no concern of contamination migration.

Councilman Rick Stopfer asked if any wells had been filled in with this process which is a concern of many citizens.

Director Reck stated that no wells will be filled with this project as there are none within 500 feet.

- 36** Resolution -- Award of Bid to Hisaw and Associates, General Contractors, Inc., in the Net Amount of \$6,503,500.00 for the Construction of the City of Irving Animal Shelter and Dog Park Project

Construction & Building Services Director Casey Tate presented this item.

Councilman Sam Smith asked when the project would be completed.

Director Tate stated that construction will be complete in 12- 14 months.

- 67** Ordinance -- First Reading -- Approval of Atmos Energy Corporation, Mid-Tex Division, Rate Increase Request

Senior Assistant City Attorney Rodney Adams described the ordinance and noted that the agreed upon rate is 41% lower than the original Atmos request.

- 70** Ordinance -- Zoning Case #ZC08-0030 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverages) and Hotel Uses - Approximately 3.536 Acres Located at 4940 Regent Boulevard - DFW Holiday Hospitality, Owner - CSE, Applicant

Senior Planner Kenneth Bloom presented the item and noted that Council's approval would require a 3/4th vote of the entire Council due to the opposition of one land owner.

Councilman Philipp asked for clarification on this variance request.

Mr. Bloom advised that this original development began before the new hotel standards were in place. While the development of this property still does not meet those standards, it is a vast improvement.

Manager Reed presented the history of the project.

Councilman Stopfer suggested providing time limits from when a zoning is approved and when construction begins.

- 71** Ordinance -- Zoning Case #ZC08-0032 - Granting S-P-1 (Detailed Site Plan) for Convenience Store and Gas Sales, Restaurant, and Full-Service Car-Wash Uses - Approximately 2.14 Acres Located at 777 West Interstate Highway 635 - Victron Stores, Owner - Kenneth Baca, Applicant

Senior Planner Kenneth Bloom presented the item.

Councilman Rick Stopfer noted his concern with the full-service car-wash uses close to a residential area.

Mr. Bloom stated that the hours of operation of the car wash are limited.

Mayor Gears requested additional illustrations of the proposed landscaping.

- 72** Ordinance -- Zoning Case #ZC08-0036 - Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) District Uses - Approximately 0.12 Acres Located 1222 Colby Court (East Side of Colby Court, North of Shady Grove Road) - Luis Herazo, Owner/Applicant

Senior Planner Kenneth Bloom presented the item.

Councilman Lewis Patrick noted his support of the case.

Councilwoman Beth Van Duyne asked if other code violations existed on the property.

Manager Reed stated that he will get the information to the Council for the regular meeting.

- 73** Ordinance -- Zoning Case #ZC08-0037 - Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) District Uses - Approximately 0.19 Acres Located at 2120 Lake Bend Drive - Taiyabali A. Vohra, Owner/Applicant

Senior Planner Kenneth Bloom presented the item.

Councilman Philipp noted his concern with the side yard encroachment and stated his opposition to this case.

- 74** Ordinance -- Zoning Case #ZC08-0038 - Granting R-6 (Single Family) District Uses - Approximately 1.435 Acres Located at 614 South Macarthur Boulevard - Memorial Baptist Church, Owner/Applicant

Senior Planner Kenneth Bloom stated that the applicant has requested postponement.

- 75** Resolution -- Establishment of and Appointments to the Proposed Charter Review Committee

The Council discussed the committee nominees and agreed to appoint the following:

Mayor Joe Putnam
Albert Ramacciotti
Brock Scott
Albert Zapanta
Roy Santoscoy
Margie Stipes
Jim Beggs
Johnathan Boyle
Roger Henson

- 78** Mayor's Report

Mayor Gears asked Emergency Management Coordinator Pat McMaken to present an update on Hurricane Gustav and the emergency services provided by the City for evacuees.

Coordinator McMaken described the City's efforts to aide the Hurricane Gustav's evacuees. He noted that Senter Park Recreation Center is housing around 200 evacuees from Louisiana and feeding almost 300, with help from the Salvation Army.

2 Irving Boulevard Enhancement Study - Presentation of Draft Report Recommendations

This item was presented before the review of the regular agenda.

EDAW representative Russ Butler introduced the enhancement study and noted that the report is 95% complete and the purpose of the presentation is the seek Council's support of the corridor recommendations and give further input.

EDAW representative Ed Garza presented the draft study which included the corridor's goals and vision, the framework plan, and the marketing and branding plan. He also described the catalyst projects which included the involvement of McDougal's redevelopment project.

Councilwoman Rose Cannaday noted her concern with the style of lighting along Irving Boulevard and how it might negatively impact the Heritage District concept and design.

Mr. Butler stated that they have been looking at a combined light pole with a separate pedestrian light which will stay with the Olde Towne design while the taller posts will provide over all lighting.

Mayor Gears and Councilwoman Cannaday noted the importance of the Heritage Redevelopment Committee's input and guidance in this project.

Managing Director Paul Gooch stated that a final copy of the study will available at the next worksession.

3 Presentation and Discussion of Proposed Standards for Commercial Containers and Commercial Buildings

Urban Development Manager Steven Reed described the proposed dumpster screening ordinance which would regulate the location and fencing of commercial dumpsters.

Councilman Smith suggested reducing the compliance time from 60 days to 30 days.

Councilwoman Cannaday suggested written guidelines to the property owners.

Code Enforcement Director Teresa Adrian agreed with reducing the grace period for compliance and noted that her staff will work with dumpster companies and property owners with hardships to get full compliance.

4 Pre-Election Retail and Alcohol Regulations

City Attorney Charles Anderson presented recommendations to the Council regarding possible municipal regulations concerning the Texas Alcohol Beverage Code. His presentation included the current regulations and staff recommendations; such as limiting the hours during which beer may be sold, and convenience store crime prevention initiatives and design standards. Mr. Anderson noted that the Planning & Zoning Commission will review these recommendations at the September 15, 2008, meeting and take action at the October 2, 2008, meeting:

Council discussed the legal options.

Councilman Meagher stated that he does not agree with restricting the sale of beer in the morning hours as it could interfere with normal grocery store shopping.

Councilwoman Van Duyne agreed with Councilman Meagher.

Council suggested looking at legislation to better control the sale of alcohol at the state level.

5 Pet Registration

Community Services Project Leader Sheila Hupp presented the proposed pet registration ordinance amendments. Her presentation included an overview of the current program, noting that over 2,500 pets have been registered, as a part of the City's community outreach efforts. She stated that the Animal Services Committee reviewed the citizen's input and the committee's suggestions for the Council's consideration were: reducing registration fees, amending to a three-year renewal cycle, exempting senior citizens over 65, amending the non-compliance fines, or making the registration program voluntary with continued education.

Mayor Gears supported the three-year renewal cycle, exempting senior citizens and reducing the non-compliance fines.

Council Lewis Patrick supported making the program voluntary.

Councilman Stopfer agreed with Mayor Gear's suggestion.

6 2009 Council Calendar

This item was not discussed.

EXECUTIVE SESSION

City Attorney Charles Anderson read the Mayor and Council into Executive Session at 4:33 PM.

7 Legal Advice - North Lake

8 Personnel - Municipal Judge

Mayor Gears announced that the Council will now reconvene in Open Session. The time was 6:24 PM.

The meeting was adjourned at 6:25 PM

Herbert A. Gears, Mayor

ATTEST:

Janice Carroll, TRMC
City Secretary