

**REGULAR MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
April 9, 2009**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, April 9, 2009. The following members were present / absent:

Attendee Name	Organization	Title	Status	Arrived
Herbert Gears	Irving City Council	Mayor	Absent	
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	

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

Bob Adams, Vice President of the Church of Scientology, invited everyone to the Grand Opening and Ribbon Cutting for their church on Saturday, April 11, 2009, at 451 Decker Drive from 2-6 p.m.

INVOCATION

The invocation was delivered by Pastor Franklin Barganier, North Irving Church of Christ of Irving, Texas.

PLEDGE OF ALLEGIANCE

Councilman Patrick led those present in the pledge.

PROCLAMATIONS AND ANNOUNCEMENTS

Special Recognition:

Mayor Pro Tem Rick Stopfer asked Mackenzie Fox and her father Doug Fox to come forward. He presented a certificate to Mackenzie in honor of her receiving from the YMCA Metropolitan Dallas the "Six Pillars of Character" award in March.

Proclamation - National Fair Housing Month

Mayor Pro Tem Rick Stopfer asked Phil Smith, Chairman of the Housing and Human Services Board to come forward; he presented the Proclamation which declares April as Fair Housing Month.

Proclamation - Motorcycle Safety Awareness Month

Mayor Pro Tem Rick Stopfer asked Connie Thompson from ABATE, the City of Denton Chapter, to come forward. He presented to her the proclamation in declaring May as Motorcycle Safety Awareness Month.

CITY COUNCIL AGENDA

1 City Manager's Strategic Plan Update

City Manager Tommy Gonzalez stated that the city of Irving has eight key focus areas and tonight's video focuses on public safety.

CONSENT AGENDA

The consent agenda items 2-15 were presented for approval. Mayor Pro Tem Rick Stopfer stated that items #12, #13, and #15 would be pulled from the consent agenda and heard separately. **Councilman Philipp moved to approve the consent agenda items 2-15, excluding items #12, #13 and #15. Seconded by Councilwoman Cannaday, the motion was approved by a vote of 8-0.**

2 Approving Minutes for Wednesday, March 25, 2009

3 Approving Minutes for Thursday, March 26, 2009

4 Resolution No. RES-2009-142 -- Authorizing Destruction of Obsolete Records in Accordance with the City of Irving's Records Management Policy

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Philipp, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
ABSENT:	Herbert Gears

5 Resolution No. RES-2009-143 -- Approving a Texas Traffic Safety Program Grant Agreement Between the City of Irving and the State of Texas, Acting by and Through the Texas Department of Transportation, for a Selective Traffic Enforcement Program (STEP) Grant for the "Click It Or Ticket" Campaign

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Philipp, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
ABSENT:	Herbert Gears

- 6 Resolution No. RES-2009-144 --** Authorizing the Mayor to Apply For, Accept, Reject, Alter or Terminate the COPS Hiring Recovery Program (CHRP) Grant From the U.S. Department of Justice

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Philipp, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
ABSENT:	Herbert Gears

- 7 Resolution No. RES-2009-145 --** Supporting the US Census Bureau to Conduct a Count, in 2010, of the Population in the City of Irving as Required by the Constitution of the United States of America.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Philipp, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
ABSENT:	Herbert Gears

- 8 Resolution No. RES-2009-146 --** Approving Application Submittal for Neighborhood Stabilization Program Grant Funds

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Philipp, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
ABSENT:	Herbert Gears

- 9 Resolution No. RES-2009-147 -- Approving Purchase from Caldwell Country Chevrolet for Police Tahoes through the State of Texas Local Government Statewide Cooperative Purchasing Program Administered by the Texas Association of School Boards (the BuyBoard Program)**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Philipp, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
ABSENT:	Herbert Gears

- 10 Resolution No. RES-2009-148 -- Renewing the Annual Contract with Paradigm Traffic Systems, Inc., for Field Ethernet Switches**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Philipp, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
ABSENT:	Herbert Gears

- 11 Resolution No. RES-2009-149 -- Approving and Accepting the Bids of Mainline Supply Company; Metro Valve & Pipe Inc.; Municipal Water Works Supply, L.P.; and ACT Pipe & Supply for Annual Contracts to Supply Iron Fittings**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Philipp, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
ABSENT:	Herbert Gears

- 12 Resolution No. RES-2009-150 -- Approving Purchase from Austin Ribbon and Computer Supplies, Inc., for Personal Computers through the State of Texas Department of Information Resources (DIR)**

Mayor Pro Tem Rick Stopfer introduced the item and asked if anyone wished to speak in favor or opposition.

The following registered to speak in opposition of this item:

Don Van Slyke, 2617 Castle Street

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Lewis Patrick, Councilman
SECONDER:	Thomas Spink, Councilman
AYES:	Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
ABSENT:	Herbert Gears

- 13 Resolution No. RES-2009-151 -- Ratifying Award to Hidalgo Industrial Services, Inc., for the Emergency Replacement of the Cooling Tower at Irving Criminal Justice Center**

Mayor Pro Tem Rick Stopfer introduced the item and asked if anyone wished to speak in favor or opposition.

The following registered in opposition, but did not wish to speak:

Chelsea Bartlett, 411 Collins Drive

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Philipp, Councilman
SECONDER:	Lewis Patrick, Councilman
AYES:	Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
ABSENT:	Herbert Gears

- 14 Ordinance No. ORD-2009-9059** -- Amending Chapter 7 Entitled "Billboards and Signs" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing for a Special Sign Permit for Digital Images on Billboards and On-Premise Signs

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Philipp, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
ABSENT:	Herbert Gears

- 15 Ordinance No. ORD-2009-9060** -- Budget Adjustment to the 2008-09 Fiscal Year Budget

Mayor Pro Tem Rick Stopfer introduced the item and asked if anyone wished to speak in favor or opposition.

The following registered to speak in opposition:

Don Van Slyke, 2617 Castle Street

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Lewis Patrick, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
ABSENT:	Herbert Gears

INDIVIDUAL CONSIDERATION

- 16 Resolution No. RES-2009-152** -- Resolution Canceling the Certificate of Occupancy for Billar De Acapulco Located at 2714 W. Irving Boulevard for Failure to Comply with Multiple Ordinance Requirements

Mayor Pro Tem Rick Stopfer introduced the item and stated that this item would be postponed to the end of the Council meeting.

City Attorney Charles Anderson read the Council into Executive Session at 7:48 p.m.

Mr. Anderson announced that the Council will now reconvene in Open Session. The time was 8:06 p.m.

Senior Attorney Karen Brophy noted that the Council resolution before them stating that the city of Irving has received a written and sworn document stating that the operator of this establishment is waving their rights agreeing to the cancellation of their occupancy on May 22, 2009.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Philipp, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
ABSENT:	Herbert Gears

ZONING CASES AND COMPANION ITEMS

- 17 Ordinance No. ORD-2009-9061** -- Zoning Case #ZC09-0014 - Repealing Ordinance No. 8508 Which Granted S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverage Sales) Uses to Reinstate the Previous Zoning of S-P-2 (Generalized Site Plan) for C-C (Community Commercial) District Uses and Disallow the Sale of Alcoholic Beverages for on Premise Consumption as an Accessory Use - Approximately 6,478 Square Feet Located at 2714 West Irving Boulevard - City of Irving, Applicant - SEJ Properties, LP, Owner

Mayor Pro Tem Rick Stopfer introduced the item and stated that this item is a companion item to item Number 16 and would also be postponed to the end of the meeting.

Mayor Pro Tem Rick Stopfer introduced this item.

Manager of Planning and Inspections Steve Reed stated that this item is a companion item to item #16; the staff recommends that this zoning case be repealed effective May 22, 2009.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Philipp, Councilman
SECONDER:	Sam Smith, Councilman
AYES:	Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
ABSENT:	Herbert Gears

- 18 Resolution No. RES-2009-141 -- Street Name Change - ZC09-0002 - Changing the Name of Bridlewood Lane to Stallion Crossing - City of Irving, Applicant (Postponed at April 9, 2009 City Council Meeting)**

Mayor Pro Tem Rick Stopfer introduced the item and asked if anyone wished to speak in favor or opposition.

Manager of Planning and Inspections Steve Reed presented this item. He stated that staff is recommending that the street be renamed Stallion Crossing.

Andi Burrow, 3043 Bridlewood Lane asked if this item could be tabled once again so that their neighborhood can come together and reconsider the new name of this street.

Fire Chief Molina stated that the reason for this name change is that it is a duplicate of an existing street and the change will eliminate the danger of emergency response calls going to the wrong address.

Councilwoman Van Duyne moved to postpone this item to the April 23, 2009 City Council meeting at the residents request.

RESULT:	POSTPONED [UNANIMOUS] Next: 4/23/2009 7:00 PM
MOVER:	Beth Van Duyne, Councilwoman
SECONDER:	Sam Smith, Councilman
AYES:	Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
ABSENT:	Herbert Gears

- 19 Ordinance No. ORD-2009-9062 -- Zoning Case #ZC09-0006 - Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 25.717 Acres Located at 4600 West Rochelle - JDJR Engineers & Consultants, Inc., Applicant - Gibraltar Land Development, Owner**

Mayor Pro Tem Rick Stopfer introduced the item and asked if anyone wished to speak in favor or opposition. There were no speakers.

Jim Dewey, JDJR Engineering, 2505 Texas Drive #100, representing the applicant presented the case.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Lewis Patrick, Councilman
SECONDER:	Beth Van Duyne, Councilwoman
AYES:	Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
ABSENT:	Herbert Gears

APPOINTMENTS AND REPORTS

- 20 Resolution No. RES-2009-153 -- Appointment to the Upper Trinity Regional Water District Board**

Mayor Pro Tem Rick Stopfer introduced the item and asked if anyone wished to speak in favor or opposition. There were no speakers.

Councilman Philipp move to re-appoint Ramiro Lopez to the Upper Trinity Regional Water District Board, to a four year term expiring May 2013.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Philipp, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink
ABSENT:	Herbert Gears

Items #15 and #16 were considered after item #20.

- 21 Adjournment**

The meeting adjourned at 8:08 p.m.

Citizens' Forum

Doug Harper, 1117 S. Delaware Street, showed pictures and thanked Paul Gooch and the City Council and staff for the pocket park that has recently been constructed in the city of Irving. He also wrote an article about the new pocket park and it was published in all three Irving papers. He also asked that an agenda item be placed on the work session agenda to discuss Fire Station No. 4 as this will affect the new pocket park and the neighborhood.

Herbert A. Gears, Mayor

ATTEST:

Janice Carroll, TRMC
City Secretary