

**REGULAR MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
September 3, 2009**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, September 3, 2009. 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	

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

Randy Boatright, announced that the Keep Irving Beautiful will be holding its 18th Annual Trinity Trash Bash event, it will be held on Saturday, September 12, 2009, from 9-1, registration will start at 8:00 a.m. Mr. Boatright invited everyone to come out and join in this yearly event.

INVOCATION

The invocation was delivered by Pastor Isnel Castro, House of god Ministries of the City Of Irving, Texas.

PLEDGE OF ALLEGIANCE

Councilman Patrick led those present in the pledge.

PROCLAMATIONS AND ANNOUNCEMENTS

There were no proclamations or announcements made.

CITY COUNCIL AGENDA

1 City Manager's Strategic Plan Update

City Manager Tommy Gonzalez stated that the City Manager's report would not be shown by video this evening due to technical problems, but that it could be viewed on the City's website at cityofirving.org at Video on Demand. Mr. Gonzalez also recognized the Planning and Inspections Department for receiving the Certificate of Achievement for

Planning Excellence from the Texas Chapter of the American Planning Association. The certificate recognizes the professional standards demonstrated by the department. This is the second consecutive year the department has received this recognition, he stated.

2 Public Hearing No. (ID # 2885) -- Public Input on the 2009-2010 City of Irving Fiscal Year Budget

Mayor Gears introduced the item and asked if anyone wished to speak on this item.

The following registered to speak:

Cathy Duncan, 925 Murl Drive, she stated that she heard that the city has 400 to 500 less employees in the past five years. In checking previous budget she sees only a reduction of twelve funded positions. Why is there a difference?

Ms. Duncan stated she heard the General Fund Revenue is down. She noted that Solid Waste revenue has been removed from the General Fund, and she asked for the reason this was done. She said this is the reason for the fund reduction.

She commended the Mayor for removing the rate increase ordinances from the agenda this evening. And she asked that they rescind the \$1.50 EMS monthly fee.

Wally Banks, 3413 Briarcliff Ct. South, commended the city employees. He asked that better synchronization of traffic signals be addressed. He noted that the street concrete dispatch crew should be increased in number. He spoke in favor of long range water planning. He asked that police and fire pay and city employees be reconsidered.

Joe Mapes, P.O. Box 141864, stated that he is a business resident of the City. He asked that a forum be provided to receive input from this segment of the City. Mr. Mapes also spoke in favor of the removal of ordinances for rate increases. He also addressed the lack of opportunity for budget review and input.

Sharon Barbosa-Crain, 2608 Alan A Dale, thanked the Mayor and Council for their continued support of Keep Irving Beautiful. She also thanked Mayor and Council for the removal of the rate increase ordinances and for providing a balanced budget for the next fiscal year. And finally she asked that the Council consider reinstating a joint police/parks mobile unit during the summer months to take information to neighborhoods and apartments complexes.

CONSENT AGENDA

The consent agenda, items #3 through #39, were presented for approval. Mayor Gears stated that item #8 would be pulled from the consent agenda and heard separately. Mayor Gears also stated that items #37, #38, #40 and #41 would be removed from the consent agenda and would not be considered. Councilman Stopfer moved to approve the consent agenda items #3 through #39, excluding items #8, #37, #38, #40 and #41. Seconded by Councilwoman Cannaday, the motion was approved by a vote of 9-0.

3 Approving Minutes for Wednesday, August 05, 2009

4 Approving Minutes for Wednesday, August 05, 2009

5 Approving Minutes for Thursday, August 06, 2009

6 Resolution No. RES-2009-370 -- Setting a Date for a Public Hearing on the 2009-2010 City of Irving Fiscal Year Budget

RESULT:	ADOPTED [6 TO 3]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Gears, Meagher, Stopfer, Smith, Philipp, Cannaday
NAYS:	Beth Van Duyne, Lewis Patrick, Thomas Spink

7 Resolution No. RES-2009-371 -- Approving Addendum No. 2 to the Hazardous Waste Interlocal Agreement Between the City of Irving and Dallas County to Provide a Program in Which Residents Can Properly Dispose of Household Chemicals

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

8 Resolution No. RES-2009-372 -- Approving Settlement of a Lawsuit with Manuel A. Benavidez

Mayor Gears introduced the item and asked if anyone wished to speak in favor or opposition of this item.

City Attorney Charles R. Anderson, reviewed the terms of the settlement agreement and presented the background of this case. He stated that the agreement calls for six single member districts, two at large Council seats, and the Mayor is at large. He noted that the numbering of districts will coincide with the election schedule as it currently exists. He noted that the City will pay \$200,000.00.

The following registered to speak in opposition.

David Palmer, 1705 Colony Drive
John Barrett spoke for Shirley Wyatt, 609 Shalamar, spoke in opposition
Sue Harper, 1117 S. Delaware, spoke in opposition
Doug Harper, 1117 S. Delaware, spoke in opposition
Joe Sissom, 3500 Gentry Road, spoke in opposition
Jacqualea Cooley, 1633 Drexel, spoke in opposition
Don J. Wilson, 1410 Ronne Drive, spoke in opposition
Patricia Owen, 1506 Ross Drive, spoke in opposition
James Embry, 4027 N. Beltline Road, #2314, spoke in opposition
Joyce Howard, 1404 Colony, spoke in opposition

The following registered to speak in favor of this item:

Roland D. Medina, 1600 N. MacArthur Blvd. spoke in favor
Kim Carroll Limberg, 1910 Cartwright Street, spoke in favor
Andrew Goldsmith, 3000 Wingren, spoke in favor
Sharon Barbosa-Crain, 2608 Alan-a-Dale, spoke in favor
John Dannish, spoke in favor

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

Loren J. Byers, 918 E. Tanglewood Drive
Bobbie Randall, 500 Farine
Paul Jordan, 1519 Arcady Lane,
Linda Spink, 1319 N. Irving Heights Drive
James B. Baker, 2724 Lake Gardens
Oscar Ward, 608 Farine Drive
K.W. Ward, 608 Farine
Christine Burkett, 226 Chamberlain
Holly J. Getting, 2208 Rita Court
Roy Getting, 2208 Rita Court

Edna C. Garcia, 626 Oak Ridge
Val Garcia, 626 Oak Ridge

The following registered in support of this item, but did not wish to speak:

Gardy Lopez, 1309 Milner Road
James F. Widener, 307 Steeplechase Drive
Helen Widener, Steeplechase Drive

Councilman Philipp spoke in favor of this settlement agreement and moved to approve the agreement as presented.

Councilman Spink stated that whether he personally was included in the new District 1 was not important, but he did oppose the gerrymandered boundaries of this district.

Councilwoman Van Duyne addressed her position on pursuing the appeal of this suit and not agree to a settlement at this time.

Mayor Gears stated that the Federal Judge has ruled against the City of Irving and the city cannot hold an election under the current system. Mayor Gears said that this is a natural progression to preserve some places to stay at large; the city has reserved its right to appeal.

Mayor Gears also stated that he was asked to work with attorneys to develop a hybrid system.

Councilman Patrick stated that the current system is the best system for the City of Irving. He does not like the map. Unfortunately voters have no choice. He stated that he would be voting against this item.

Councilwoman Cannaday stated that the present system is a good one. Irving has made no effort to change this.

Councilman Smith stated that single member districts are here to stay and now the council needs to manage this new system.

After lengthy discussion, the following vote was noted.

RESULT:	ADOPTED [6 TO 3]
MOVER:	Joe Philipp, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Gears, Meagher, Stopfer, Smith, Philipp, Cannaday
NAYS:	Beth Van Duyne, Lewis Patrick, Thomas Spink

- 9 Resolution No. RES-2009-373 -- **Approving a Settlement of Claim Between the City of Irving and the General Assembly and Church of the Firstborn**

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

- 10 Resolution No. RES-2009-374 -- **Authorizing the Mayor to Execute a Right-Of-Way Agreement with Windsor Ridge Homeowners Association and BF Las Colinas Development, LP, to Provide a Public Right-Of-Way Known as O'Connor Ridge Boulevard**

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

- 11 Resolution No. RES-2009-375 -- **Awarding a Contract to SYB Construction Co., Inc., for the Grauwylers Heights Alley Improvements, Section II Project**

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

- 12 Resolution No. RES-2009-376 -- **Authorizing Staff to Negotiate a Professional Services Contract with Good Fulton & Farrell Architects for the Architectural and Engineering Design Associated with the Bell Tower Elevator for the Lake Carolyn Promenade**

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

- 13 Resolution No. RES-2009-377 -- **Approving Change Order No. 1 to the Construction Management at Risk Contract Between Austin Commercial, L.P. and the City of Irving for Construction Management Services to Construct Las Colinas Multipurpose Convention Center**

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

- 14 Resolution No. RES-2009-378 -- **Approving Renewal of Agreement for Services Between the City of Irving and Keep Irving Beautiful, Inc., for the Keep Irving Beautiful Program**

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

- 15 Resolution No. RES-2009-379 -- **Approving a Sales Contract for the Acquisition of a Single-Family Residence Located at 2515 West Fifth Street - Kimberly Short, Property Owner**

The following registered to speak in opposition of this item.
Wally Banks, 3413 Briarcliff

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

- 16 Resolution No. RES-2009-380 -- **Approving “Agreement for Purchase and Sale of Real Estate” for the acquisition of DART Orange Line Parcels IRV2-37A, Verizon Realty Corp. Owner**

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

- 17 Resolution No. RES-2009-381 -- **Approving “Agreement for Purchase and Sale of Real Estate” for the acquisition of DART Orange Line Parcels IRV2-37B, IRV2-37B-2, IRV2-37B-3, and IRV2-37D, Verizon Realty Corp. Owner**

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

- 18 Resolution No. RES-2009-382 -- **Approving “Agreement for Purchase and Sale of Real Estate” for the acquisition of DART Orange Line Parcels IRV2-37E, Verizon Realty Corp./Verizon North Inc., Owner**

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

- 19 Resolution No. RES-2009-383 -- **Authorizing Dallas Area Rapid Transit (DART) authority to acquire Parcels IRV2-37A, IRV2-37B, IRV2-37B-2, IRV2-37B-3, IRV2-37D, and IRV2-37E by eminent domain within the City of Irving**

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

- 20 Resolution No. RES-2009-384 -- **Approving and Accepting the Bid of Tank Pro, Inc., for the Rehabilitation of Esters 1.5 MG Multicolumn Elevated Storage Tank**

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

- 21 Resolution No. RES-2009-385 -- **Approving Amendment No. 1 to Metrocare Services Fiscal Year 2008-09 Agreement**

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

- 22 Resolution No. RES-2009-386 -- **Terminating the Fiscal Year 2008-09 Irving YWCA Community Development Block Grant Contract and Amending the Salvation Army Fiscal Year 2008-09 Community Development Block Grant Contract**

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

- 23 Resolution No. RES-2009-387 -- **Renewing Annual Contract with GT Distributors, Inc., for Police Ammunition**

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

- 24 Resolution No. RES-2009-388 -- **Approving and Accepting the Bids of GT Distributors, Inc.; GST Public Safety Supply, LLC; and C & G Police Supply dba C & G Wholesale for Annual Contracts to Supply Police Uniforms**

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

- 25 Resolution No. RES-2009-389 -- **Approving Purchase From Optical Systems Technology, Inc., for Night Vision Devices Through the General Services Administration (GSA) 1122 Counterdrug Activity Program**

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

- 26 Resolution No. RES-2009-390 -- **Approving Purchase from Dallas Dodge for Police Dodge Chargers through the Houston-Galveston Area Council of Governments (H-GAC) Interlocal Cooperative Purchasing Program**

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

- 27 Resolution No. RES-2009-391 -- **Approving and Accepting the Proposal of Information Builders, Inc., for a Business Intelligence Reporting Solution**

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

- 28 Resolution No. RES-2009-392 -- **Approving Addendum No. 1 with Advanced Public Safety, Inc., for the Expansion of Electronic Citation Technology to Patrol Cars**

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

- 29 Resolution No. RES-2009-393 -- **Approving Single Source Award with Tyler Technologies, Inc., for Software and Hardware Maintenance for the Court Case Management System**

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

- 30 Resolution No. RES-2009-394 -- **Approving Purchase from Freeway Ford for Ambulances through the Houston-Galveston Area Council of Governments (H-GAC) Interlocal Cooperative Purchasing Program**

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

- 31 Resolution No. RES-2009-395 -- **Approving and Accepting the Bid of Air Pollution Control Products, Inc., for the Animal Incinerator/Crematory System**

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

- 32 Resolution No. RES-2009-396 -- **Approving and Accepting the Bid of The Around the Clock Freightliner Group LLC Dallas Freightliner for a Crew Cab Truck with Crane**

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

- 33 Resolution No. RES-2009-397 -- **Approving and Accepting the Bid of KanMar Investments LLC dba International Diving Services for an Annual Contract to Provide Water Storage Tank In-Service Cleaning and Special Diving Services**

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

- 34 Resolution No. RES-2009-398 -- **Approving and Accepting the Bid of Taylor's Summit Electric Service, Inc., for an Annual Contract to Provide Electrical Services for Parks & Building Maintenance**

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

- 35 Resolution No. RES-2009-399 -- **Renewing Annual Contract with Western Paper Co., to Supply Office, Copier, and Print Shop Paper**

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

- 36 Resolution No. RES-2009-400 -- **Approving and Accepting the Proposal of Maloney Strategic Communications, Inc., for Advertising Agency Representation**

RESULT:	ADOPTED [8 TO 1]
MOVER:	Rick Stopfer, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Cannaday, Spink
NAYS:	Joe Philipp

- 37 Ordinance No. ORD-2009-9109 -- **First Reading - Amending Chapter 52 Entitled "Water And Sewer Rates" Of The Code Of Civil And Criminal Ordinances Of The City Of Irving, Texas, Providing For New Monthly Water And Sewer Rates; Providing For A New Maximum Monthly Service Charge; Providing An Effective Date; And Providing A Severability Clause.**

The following registered to speak in favor of this item:
Wally Banks, 3413 Briarcliff

RESULT:	WITHDRAWN NO VOTE
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- 38 Ordinance No. ORD-2009-9110 -- **First Reading - Amending Chapter 33 Entitled " Refuse, Garbage and Weeds" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing for Charges for Plastic Refuse Bags Sold by the City and for Monthly Charges for Refuse Pickup Service for Residences, Apartments, and Churches**

RESULT:	WITHDRAWN NO VOTE
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- 39 Ordinance No. ORD-2009-9111 -- **Final Reading - Approving a Negotiated Resolution Between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division Regarding the Company's Rate Review Mechanism Filing in All Cities Exercising Original Jurisdiction**

RESULT:	FIRST READING [UNANIMOUS] Next: 9/24/2009 7:00 PM
MOVER:	Rick Stopfer, Councilman
SECONDER:	Rose Cannaday, Councilwoman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

INDIVIDUAL CONSIDERATION

- 40 Ordinance No. ORD-2009-9112 -- **Public Hearing and First Reading - Amending Subsection (d) of Section 41-57 of Chapter 41 Entitled "Water and Sewer Systems" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Setting a New Schedule of Drainage Fees; Providing an Effective Date; and Providing a Severability Clause**

RESULT:	WITHDRAWN NO VOTE
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- 41 Resolution No. RES-2009-401 -- **Making Findings Related to the Need to Use City-Owned Land Located Along MacArthur Boulevard Between Weathered Street and Storyglen Street for the Construction of Fire House No. 4**

The following registered in support of this item, but did not wish to speak.
G. Peters, 601 Bellah Drive
Gary Wendzel, 920 McCoy Drive
Sharon Wendzel, 920 McCoy Drive
Patricia McArdle, 921 McCoy Drive
The following registered in opposition of this item:
2828 Gamelake Drive

RESULT:	WITHDRAWN NO VOTE
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- 42 Ordinance No. ORD-2009-9113 -- **Amending Chapter 8 Entitled "Irving Building Standards Code" of the City of Irving, Texas, Development**

Standards and Construction Codes by Adding Article XI to Provide a Mandatory Crime Reduction Program in Apartment Complexes

Mayor Gears introduced the item and asked if anyone wished to speak in favor or opposition.

The following registered to speak in favor of this item.

Patricia Owens, 1506 Ross Drive, Irving, Texas

Kathy Carlton, 226 Phoenix Drive, Trophy Club, Texas

Chief Boyd introduced the item and called on Sergeant Mitchell to give a presentation on this item. Sergeant Mitchell presented the power point presentation.

City Manager Tommy Gonzalez noted and commended the department on how they analyzed the data through the Six Sigma process.

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

ZONING CASES AND COMPANION ITEMS

- 43 Ordinance No. ORD-2009-9101 -- Zoning Case #ZC09-0038 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverages) Uses - Approximately 1.5 Acres Located at 4300 West Airport Freeway (South Side of SH 183, East of Hard Rock Drive) - Greenberg Farrow, Applicant - Drury Southwest Inc., Owner (Postponed at the August 6, 2009 City Council Meeting)**

Mayor Gears introduced the item and noted that this item would be postponed indefinitely.

RESULT:	POSTPONED NO VOTE [UNANIMOUS]
MOVER:	Rose Cannaday, Councilwoman
SECONDER:	Rick Stopfer, Councilman
AYES:	Gears, Van Duyne, Meagher, Patrick, Stopfer, Smith, Philipp, Cannaday, Spink

- 44 Ordinance No. ORD-2009-9114 -- Zoning Case #ZC09-0042 - Granting S-P-2 (Generalized Site Plan) for C-N (Neighborhood Commercial), Commercial**

Parking, and Related Uses - Approximately 16.7 Acres Located at 7815 Esters Road - FreedomPark, LP, Applicant - Operating Engineers Funds, Inc., Owner

Mayor Gears introduced the item and asked if anyone wished to speak in favor or opposition.

There were no speakers.

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

45 Ordinance No. ORD-2009-9115 -- Amending Chapter 33A of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Regarding Minimum Setbacks - City of Irving, Applicant

Mayor Gears introduced the item and reviewed the SH 183 overlay project and stated that this would mitigate the appearance of the corridor. He also stated that a 30 foot setback would be required.

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

46 Ordinance No. ORD-2009-9116 -- Amendment to Section 35-16 of the City of Irving Land Development Code, Party IV (Subdivision), to Require Transitional Lots Whenever a Plat for Single Family Uses Creates Lots Smaller Than Adjacent Lots - City of Irving, Applicant

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

Mayor Gears explained the standards for infill housing projects.

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

APPOINTMENTS AND REPORTS

47 Adjournment

The meeting adjourned at 9:25 p.m.

Citizens' Forum

Mary Chapin, 1013 N. Sleepy Hollow, spoke about the code violations on Sunnybrook Drive.

Charles Cheeks, 115 S. MacArthur, addressed the Mayor and Council regarding bicycle access to sidewalks and public streets.

Herbert A. Gears, Mayor

ATTEST:

Janice Carroll, TRMC
City Secretary