

**WORK SESSION MEETING OF THE IRVING CITY COUNCIL  
MEETING MINUTES  
January 13, 2010**

The Irving City Council met in work session January 13, 2010. The following members were present/absent:

<b>Attendee Name</b>	<b>Organization</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
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 11:00 AM.

**DISCUSSION TOPIC**

Executive Assistant Linda Murray presented the City Council Cycle Participants, Accounting Manager Martin Avila and Senior Civil Engineer Pat Lamers.

**1 Council Communications Committee Update - Texas Stadium Implosion**

Councilwoman Rose Cannaday announced the Texas Stadium implosion date to be April 11, 2010, and noted that the team is available to answer questions from the Council.

Real Estate & Development Assistant Director Doug Janeway presented a video on an overview of the implosion event. He introduced the implosion team that includes the City of Irving, Irving Convention & Visitor's Bureau, Chamber of Commerce, Weir Brothers, and the sponsors.

Irving Convention & Visitor's Bureau Executive Director Maura Gast described the communication plan which involves traditional and local media outlets. She noted cable networks interest in the implosion and reviewed the Kraft sponsorship. Her presentation also included the event activities and routing plans.

Mr. Janeway described the implosion details.

Jim Redyke, President of Dykon Explosive Demolition Corp., showed a computer model of the implosion.

Councilman Sam Smith asked how Kraft would include the City of Irving into their campaign and requested copies of the promotional information.

Ms. Gast described the web and in-store promotions done by Kraft and gave an overview of the advertising being done locally by the City.

Councilman Smith asked about the "Life after the Stadium" message.

Ms. Gast confirmed that a New York firm is currently working on that information.

**2** Review of Regular Agenda

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

**15** Resolution -- Approving Engineering Services Agreement with Alan Plummer Associates, Inc., to Develop, Design, and Implement Demonstration Projects to Serve Reuse Water to Twin Wells Golf Course and Trinity View Park

Councilman Lewis Patrick asked about the golf course attendance.

Community Services Director Paul Gooch noted that golf course attendance is down nationwide and the company that operates this golf course is having financial problems.

**33** Ordinance -- 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

Councilman Joe Philipp requested a presentation on this item.

Assistant Chief Financial Officer Bret Starr gave an overview of the water and sewer rate ordinance amendments. His presentation included a description of the 5% increase that will be used to expand infrastructure replacements and a review of the current budget and funds that are needed for proposed projects.

Councilwoman Cannaday asked how Irving compared to other cities.

Mr. Starr confirmed that Irving will still be the lowest even after the rate increase.

Mayor Gears asked what causes water funds to decrease.

Mr. Starr clarified that due to a wet fall and decrease in recreational water use, the income from water decreases.

Councilwoman Beth Van Duyne questioned if there was breakage of even new pipes from weather change.

Mr. Starr stated that PVC pipes break at joints which make them easier to repair and break less frequently. He noted that 98% of the breaks have been from the old cast iron pipes and described the replacement life cycle and current level of replacement.

Councilwoman Van Duyne requested benchmark information on other cities' water rates per capita. She also requested the replacement budget for the last five years.

Councilman Rick Stopfer gave a history of this process, noting that a rate increase will be needed just to maintain the current infrastructure.

Councilman Philipp requested a five-year map of the proposed water line replacements.

- 36** Resolution -- Approving Special Sign Permit No. S0908-0022 to Remove Existing Pole Sign and Install a 12 Foot Tall X 7 Foot Wide Monument Sign with LED - Located at 1311 West Irving Boulevard - Robert Power, Applicant/Owner

Chief Planner Kenneth Bloom presented this item.

Councilwoman Van Duyne noted her concern with the design of the signage.

The Council discussed digital signage and the need to limit and review the placement of this sign type.

Real Estate & Development Director Brenda McDonald stated that staff will look at the ordinance for possible revisions.

**3** 2009 Crime Reduction Update

Police Chief Larry Boyd presented the city's crime reduction data. His presentation included a reduction in reported crime, the crime rate per capita and the crime rate based on daytime and night time population. He also described the Police Department's 2009 results on arrests, intelligence and substandard property closures.

Councilman Tom Spink asked how unique Irving's daytime population compares to other cities.

Chief Boyd clarified that the standard reporting is based on a city's nighttime population, resulting in higher numbers per capita in Irving than it would be if the daytime population would be used for the calculation.

Councilman Stopfer suggested the city publicize the ICOP program regionally and asked if the skywatch towers could also be used for other businesses in the city that are having theft issues in their parking lots.

Chief Boyd stated that the skywatch towers are placed based on trends but that the police department will work with other businesses if a need is identified.

Councilman Stopfer questioned the automobile insurance program and asked if it could be expanded to include routine stops where no proof of insurance could be given.

Chief Boyd confirmed that the insurance program tows vehicles with no insurance from an accident site. He also noted that the no insurance accident crime rate has decreased this past year as well.

Mayor Gears questioned the reporting structure.

Chief Boyd clarified that the city follows the FBI's Uniform Crime Report guidelines.

Councilman Philipp requested a report on how the newly funded initiatives have helped lower the crime rate.

**4** Pole Sign Update

*This item was postponed and will be rescheduled to a future date.*

**5 State Highway 183 Overlay Follow Up**

Urban Development Manager Steve Reed presented the State Highway 183 proposed overlay district. He noted the overlay district will provide guidelines and standards for new and existing developments and discussed the outstanding issues brought from the November 2009 Council work session. Mr. Reed described the vacant lots along SH 183 as well as staff's recommendation regarding auto sales lots.

Councilman Spink and Councilman Smith questioned non-conforming use limitations.

Mr. Reed clarified that non-conforming use would allow an existing business to continue but would not be allowed to reopen if changes occur as they are but if they close a new business must comply with the standard.

Councilman Philipp asked when the ordinance would come back to Council for adoption.

Mr. Reed confirmed that with Council's approval to move forward, staff would conduct stakeholder meetings and public hearings before final adoption.

**6 Buxton Retail Study Report**

Chamber of Commerce President Chris Wallace introduced the Buxton retail study.

Chaz Stocker with Buxton presented the retailer matching analysis and Community ID concept. He noted that specific retail businesses would be discussed in executive session.

There was lengthy Council discussion as to the value of their report to the City.

**7 Animal Services Update**

*This item was postponed and will be rescheduled to a future date.*

**EXECUTIVE SESSION**

City Attorney Charles Anderson read the Mayor and Council into Executive Session at 3:05 PM.

**6 Buxton Retail Study Report**

**8 Legal Advice - City of Hugo v. Nichols, et al.  
Texas Open Meetings Act § 551.071**

**9 Legal Advice - Benavidez v. City of Irving  
Texas Open Meetings Act § 551.071**

- 10** Legal Advice - City of Irving, Texas v. Constance Mbanusi, Jay M. Nfonoyim, FOG Properties, L.L.C., Michael C. Gbodjor, and U.S. Bank National Association  
Texas Open Meetings Act § 551.071
- 11** City Attorney - Personnel  
Texas Open Meetings Act § 551.074
- 8** Resolution -- Authorize Suit Against National Reimbursement Services, Inc., and Texas Medical Data Services, Inc.
- 45** Resolution -- Appointing an Acting City Secretary and Authorizing the Mayor to Sign an Employment Contract for Same Upon the Retirement of Janice Carroll

Mayor Gears announced that the Council will now reconvene in Open Session. The time was 4:50 PM.

The meeting was adjourned at 4:51 PM.

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Herbert A. Gears, Mayor

ATTEST:

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Janice Carroll, TRMC  
City Secretary