

**REGULAR MEETING OF THE IRVING CITY COUNCIL
MEETING MINUTES
August 9, 2012**

The City Council met in regular session in the Council Chambers of the City Hall Complex on Thursday, August 9, 2012 at approximately 7:04 p.m. The following members were present / absent:

Attendee Name	Organization	Title	Status	Arrived
Beth Van Duyne	Irving City Council	Mayor	Present	
Gerald Farris	Irving City Council	Councilman	Present	
Rose Cannaday	Irving City Council	Councilwoman	Absent	
Thomas Spink	Irving City Council	Councilman	Present	
Roy Santoscoy	Irving City Council	Councilman	Present	
Mike Gallaway	Irving City Council	Councilman	Present	
Dennis Webb	Irving City Council	Councilman	Present	
Brad LaMorgese	Irving City Council	Councilman	Present	
Joe Putnam	Irving City Council	Councilman	Present	

ORGANIZATIONAL SERVICE ANNOUNCEMENTS

INVOCATION

The invocation was delivered by Pastor Kent Hayes of Highest Praise Church of Irving of the City of Irving, Texas.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was given by Kynnedi and Donovan Webb.

PROCLAMATIONS AND ANNOUNCEMENTS

Mayor Van Duyne presented the High Spirited Citizen Award to Connie Gifford-Herrington.

CITY COUNCIL AGENDA

1 City Operations Update

Walter Richie, Aquatics Supervisory, presented a video and an update on Mosquito Control within the city.

2 Heritage Crossing Update

Kevin Kass, Redevelopment and TIF Administrator, presented the Heritage Crossing Update.

The following individuals signed up to speak on this item:
Joe Mapes, P.O. Box 141864, Irving, TX

3 Input from Citizens Regarding Ethics Policies

No one elected to speak on this item at tonight's meeting.

CONSENT AGENDA

Motioned by Councilman Farris, seconded by Councilman Gallaway to approve consent agenda items 4-22, pull item 16, and postpone items 23 and 27.

Motion approved 8-0.

4 Approving Minutes for Wednesday, July 25, 2012

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

5 Approving Minutes for Thursday, July 26, 2012

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

6 Resolution No. RES-2012-221 -- Designating the Mayor as the Authorized Official and Authorizing the Mayor to Accept, Reject, Alter or Terminate a Victim Coordinator and Liaison Grant (VCLG) through the Office of the Attorney General to Continue Funding of the Irving Police Department's Victim Coordinator Liaison Position for a One Year Period

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

7 Resolution No. RES-2012-222 -- Nominating Neiman-Marcus Group, Inc., to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank for Designation as a Qualified Business and an Enterprise Project Under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

- 8 Resolution No. RES-2012-223 -- **Approving an Engineering Services Agreement with Surveying and Mapping, Inc., DBA SAM, Inc., for the Annual Sub-Surface Utility Exploration (Potholing) Contract**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

- 9 Resolution No. RES-2012-224 -- **Awarding a Contract to Barson Utilities, Inc., for the Esters, Royal, Regent, Northgate and Harvard Water and Wastewater Main Improvements Project**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

- 10 Resolution No. RES-2012-225 -- **Approving and Accepting the Proposal from George-McKenna Electrical Contractors, Inc., for Enhancement of Jail Video Monitoring and Control System**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

- 11 Resolution No. RES-2012-226 -- **Approving the Purchase from Alliance Bus Group for a Bus through an Interlocal Cooperative Purchasing Agreement with Houston-Galveston Area Council of Governments (H-GAC)**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

- 12 Resolution No. RES-2012-227 -- **Renewing the Annual Contract with K & L Supply, Inc., for Sewer Chemicals**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

- 13 Resolution No. RES-2012-228 -- **Approving and Accepting the Bid of Equipment Southwest, Inc. for an Annual Contract for Parts and Repairs for Refuse and Dump Trucks**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

14 Resolution No. RES-2012-229 -- Rejecting All Bids for an Annual Contract for Heavy Equipment Maintenance for Cummins Engines

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

15 Ordinance No. ORD-2012-9358 -- First Reading - Granting a Franchise to Alamo Cab to Operate a Taxicab Service in the City of Irving, Texas

RESULT:	FIRST READING [UNANIMOUS] Next: 9/6/2012 7:00 PM
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

16 Ordinance No. ORD-2012-9359 -- First Reading - Granting a Franchise to WALAAL Corporation dba Ambassador Cab to Operate a Taxicab Service in the City of Irving, Texas

The following signed up to speak in opposition of this item:
Joyce Howard, 1401 Colony, Irving, TX

Motion by Councilman Farris, seconded by Spink to approve the First Reading - Granting a Franchise to WALAAL Corporation dba Ambassador Cab to Operate a Taxicab Service in the City of Irving, Texas.

Motion approved 8-0.

RESULT:	FIRST READING [UNANIMOUS] Next: 9/6/2012 7:00 PM
MOVER:	Gerald Farris, Councilman
SECONDER:	Thomas Spink, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

- 17 Ordinance No. ORD-2012-9360 -- **First Reading - Granting a Franchise to Cowboy Cab Company, Inc., to Operate a Taxicab Service in the City of Irving, Texas**

RESULT:	FIRST READING [UNANIMOUS] Next: 9/6/2012 7:00 PM
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

- 18 Ordinance No. ORD-2012-9361 -- **First Reading - Granting a Renewal Franchise to ABC Cab, Inc., dba Eagle Cab to Operate a Taxicab Service in the City of Irving, Texas**

RESULT:	FIRST READING [UNANIMOUS] Next: 9/6/2012 7:00 PM
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

- 19 Ordinance No. ORD-2012-9362 -- **First Reading - Granting a Franchise to MSS Transportation, Inc., dba Freedom Cab to Operate a Taxicab Service in the City of Irving, Texas**

RESULT:	FIRST READING [UNANIMOUS] Next: 9/6/2012 7:00 PM
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

- 20 Ordinance No. ORD-2012-9363 -- **First Reading - Granting a Renewal Franchise to Jettaxi, Inc., to Operate a Taxicab Service in the City of Irving, Texas**

RESULT:	FIRST READING [UNANIMOUS] Next: 9/6/2012 7:00 PM
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

- 21 Ordinance No. ORD-2012-9364 -- **First Reading - Granting a Franchise to D.E.C.D.A., Inc., dba Star Cab to Operate a Taxicab Service in the City of Irving, Texas**

RESULT:	FIRST READING [UNANIMOUS] Next: 9/6/2012 7:00 PM
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

- 22 Ordinance No. ORD-2012-9365 -- **First Reading - Granting a Franchise to Irving Holdings, Inc., dba Yellow Cab to Operate a Taxicab Service in the City of Irving, Texas**

RESULT:	FIRST READING [UNANIMOUS] Next: 9/6/2012 7:00 PM
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

INDIVIDUAL CONSIDERATION

- 23 Resolution No. RES-2012-230 -- **Adopting an Ethics Code and Policies for the City of Irving**

This item was postponed to the September 6, 2012 council meeting by vote on the consent agenda.

RESULT:	POSTPONED [UNANIMOUS] Next: 9/6/2012 7:00 PM
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

ZONING CASES AND COMPANION ITEMS

- 24** Resolution No. RES-2012-231 -- **Approving Final Plat - PL12-0011 - Hackberry Creek Estates Track III, Phase II, Sector 20, Revised Addition, Replat - Approximately 0.414 Acres Located at 7234 and 7236 Native Oak Lane - Larry and Nancy Myers, Applicant/ Owner - TerraCorp Associates, LLC, Surveyor**

Mayor Van Duyne opened the public hearing at approximately 7:23 p.m.

No one elected to speak on this item.

Mayor Van Duyne closed the public hearing at approximately 7:23 p.m.

Motioned by Councilman Webb, seconded by Councilman Gallaway to approve Final Plat - PL12-0011 - Hackberry Creek Estates Track III, Phase II, Sector 20, Revised Addition, Replat - Approximately 0.414 Acres Located at 7234 and 7236 Native Oak Lane - Larry and Nancy Myers, Applicant/ Owner - TerraCorp Associates, LLC, Surveyor.

Motion approved 8-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Webb, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

- 25** Ordinance No. ORD-2012-9366 -- **Zoning Case #ZC12-0011 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverages) - Approximately 0.61 Acres Located at 3425 Grande Bulevar - Mariscos 2000, Applicant - Rockbay Properties II, Ltd., Owner**

Mayor Van Duyne opened the public hearing at approximately 7:33 p.m.

The following individual signed up to speak in favor of this item:
Juan Soto, the applicant, 3425 Grande Bulevar, Irving, TX

Mayor Van Duyne closed the public hearing at approximately 7:33 p.m.

Motioned by Councilman Santoscoy, seconded by Councilman LaMorgese to approve Zoning Case #ZC12-0011 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with Alcoholic Beverages) - Approximately 0.61 Acres Located at 3425 Grande Bulevar - Mariscos 2000, Applicant - Rockbay Properties II, Ltd., Owner with staff recommendations and to incorporate the enhancements to the entryway door.

Motion approved 8-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Roy Santoscoy, Councilman
SECONDER:	Brad LaMorgese, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

- 26 Ordinance No. ORD-2012-9367 -- **Zoning Case #ZC12-0032 - Granting C-OU-2 (Commercial Outdoor) - Approximately 1.19 Acres Located at 230 N. Irving Heights Drive - America's Auto Auction, Applicant - Heights Redevelopment Ltd., Owner**

Mayor Van Duyne opened the public hearing at approximately 7:39 p.m.

The following individuals signed up to speak in favor of this item:

Randal Wiley, representative for the applicant, PO Box 2672, Keller, TX

John McDaniel, representative for the applicant, 4851 LBJ Freeway, Dallas, TX

Mayor Van Duyne closed the public hearing at approximately 7:39 p.m.

Motioned by Councilman Webb, seconded by Councilman Farris to approve Zoning Case #ZC12-0032 - Granting C-OU-2 (Commercial Outdoor) - Approximately 1.19 Acres Located at 230 N. Irving Heights Drive - America's Auto Auction, Applicant - Heights Redevelopment Ltd., Owner.

Motion approved 8-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Webb, Councilman
SECONDER:	Gerald Farris, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

- 27 Ordinance No. ORD-2012-9368 -- **Zoning Case #ZC12-0036 - Granting S-P-2 (Generalized Site Plan) for R-ZL (Zero Lot Line) Uses - Approximately 4.491 Acres Located on Napoli Way Between Venice Drive and Sicily Street at Walnut Hill Lane - JDJR Engineers & Consultants, Inc., Applicant - Silver Bay Group and Signature Estate Development LTD., Owner**

This item was postponed by vote on the consent agenda.

It was noted that the applicant has requested indefinite postponement of this case.

Motion approved 8-0.

RESULT:	POSTPONED [UNANIMOUS]
MOVER:	Gerald Farris, Councilman
SECONDER:	Mike Gallaway, Councilman
AYES:	Van Duyne, Farris, Spink, Santoscoy, Gallaway, Webb, LaMorgese, Putnam
ABSENT:	Rose Cannaday

APPOINTMENTS AND REPORTS

28 Mayor's Report

No report was provided at tonight's meeting.

29 Adjournment

The meeting was adjourned at 7:40 p.m.

Beth Van Duyne, Mayor

ATTEST:

Shanae Jennings, TRMC
City Secretary

CITIZENS' FORUM

Citizens are invited to speak for three (3) minutes on matters relating to City government and on items not listed on the regular agenda.

Frank Roszell, 2230 Union Church Rd., Keller, TX - Mr. Roszell, who owns a small business in Irving, believes that the city ordinance that mandates commercial properties to screen their dumpsters is unnecessary and costly to the small business owners.

Nancy Wilson, 2911 Bryn Mauer, Irving, TX - Ms. Wilson spoke regarding the Entertainment Venue project and is in favor of a forensic audit.

Kensley Stewart, 3916 Tacoma St., Irving, TX - Mr. Stewart spoke regarding recent city staff changes.

Lee Lowrie, 512 S. Jefferson Irving, TX - Ms. Lowrie spoke regarding the Entertainment Venue project. She is not in favor of the city getting involved with bars and entertainment businesses.

Joe Mapes, P.O. Box 141864, Irving, TX - Mr. Mapes requested that the council consider moving Citizens' Forum to the beginning of the City Council meeting.