# MINUTES RICHARDSON CITY COUNCIL WORK SESION AND MEETING MONDAY, SEPTEMBER 10, 2012

# WORK SESSION – 6:00 P.M.:

#### Call to Order

Mayor Townsend called the meeting to order at 6:03 p.m. with the following Council members present:

**Bob Townsend** 

Mayor

Laura Maczka Mark Solomon

Mayor Pro Tem Council member Council member

Scott Dunn Kendal Hartley Steve Mitchell

Council member (arrived at 6:07 p.m.)

Amir Omar

Council member

The following staff members were also present:

Dan Johnson

City Manager

David Morgan

Deputy City Manager

Michelle Thames Cliff Miller Assistant City Manager Administrative Services Assistant City Manager Development Services

Samantha Woodmancy

Management Analyst

Aimee Nemer

City Secretary

Kent Pfeil

Director of Finance

Gary Beane

Budget Officer

Michael Massey

Director of Parks & Recreation Director of Development Services

Michael Spicer Susan Smith

Assistant Director of Development Services

Jim Spivey

Chief of Police

# A. Review and Discuss Items Listed on the City Council Meeting Agenda

# <u>Item 6 – ZF 12-13</u>

#### **Staff Comments**

Michael Spicer, Director of Development Services, addressed Council on this item informing them that this request is from Michael F. Twichell, representing Shire Development L.L.C. and Jefflyn Properties V Ltd, requesting amendments to the PD for the Shire Phase 2 development to accommodate the development of an independent living facility. He explained that the applicant's request is to revise the PD Planned Development standards to allow an independent living facility along the south side of the property, where condominiums are currently approved. He said the proposed facility is two (2) stories with fifty-six (56) dwelling units; would include allowing a parking ratio of 1.5 spaces per unit for the facility,

allowing a reduced parking setback along Infocom Drive; and allowing a 6-foot wrought iron fence along Infocom Drive.

Mr. Spicer stated that the City Plan Commission (CPC) denied the request, 7-0, expressing concerns with lack of amenities, building design, and location. He stated that one resident spoke in opposition to the request.

Mr. Spicer explained that the owner requested an appeal of the CPC recommendation to the City Council and has submitted a revised concept plan, which has been revised by adding gates at the Shire Boulevard and Infocom Drive entrances. He stated that the Shire Boulevard driveway has also been modified to provide an area for a vehicle to turn around if they cannot gain entrance into the secured parking area; and the elevations have also been revised to reflect changes to the balconies and entrances.

Mr. Spicer explained that since the City Plan Commission recommended denial of Zoning File 12-13, an affirmative vote of six (6) of the seven (7) Council members is required to approve the zoning case.

# **Council Comments**

Councilmember Mitchell stated that the new concept plan looks very similar to the original Poverty Hill concept. Mr. Mitchell asked Mr. Spicer to explain the 55 and over requirements. Mr. Spicer explained that the proposal is an Independent Living Facility that will lease to persons age 55 and over as required by the Planned Development.

Councilmember Dunn clarified that as of now, the owner can build the currently approved plan of condominiums as is. Mr. Spicer confirmed.

Mayor Townsend inquired about covered parking. Mr. Spicer stated there would not be covered parking per the plans submitted.

# <u>Item 7 – ZF 12-14</u>

# **Staff Comments**

Mr. Spicer also addressed Council on this item explaining Grey Stogner, Crestview Real Estate, LLC, is requesting approval of a Special Permit for a motor vehicle service station with modified development standards/exceptions on a 0.96 acre tract of land located at the southeast corner of Spring Valley Road and Centennial. Mr. Spicer explained that the proposed exceptions include modifications to the required location of the primary entrance, use of EIFS as an exterior building materials on the single-story building, elimination of build-to-lines, reduction and/or elimination of the amenity zones along Spring Valley Road and Centennial Boulevard, use of specialty paving in the yard area for sidewalks, eliminating the percent of the lot frontage to be occupied with a building at the required build-to-range and a reduction in vehicle stacking at the gasoline pumps.

Mr. Spicer stated the CPC approved the request 5-2, subject to amending the conditions by removing references to the proposed building elevations (Exhibits C-1, C-2, D, E-1 & E-2).

He stated that staff has received written correspondence in support of the request from the property owner located to the north of the site as well as two citizens speaking in support and one opposed. Mr. Spicer stated that he understood the applicant was going to present new elevations to the City Council.

# **Council Comments**

Councilmember Omar asked what the specific reservations were from the CPC regarding elevations. Mr. Spicer stated that the CPC indicated more verticality and more iconic in design.

Councilmember Mitchell asked if there was a traffic study for the proposed development. Mr. Spicer explained that the City's Traffic Department reviews the plans to determine if a Traffic Impact Analysis is needed and it was determined that one was not needed in this case. Mr. Mitchell inquired if there was a need for a median cut and turn lane going eastbound on Centennial. Mr. Spicer stated there was not a median cut or turn lane proposed.

Councilmember Omar referenced a page from the applicant's packet which indicated public art on the corner of the property and was noted cost-prohibitive. Mr. Spicer stated he did not know the origin of the public art and stated it is not a requirement of the Spring Valley development.

Mayor Pro Tem Maczka stated that Council had discussed having an iconic element at this location.

# <u>Item 8 - ZF 12-15</u>

#### **Staff Comments**

Mr. Spicer addressed Council on this item explaining Eldon Haacke representing Terraform Companies is requesting approval of a Special Permit for a 9,257 square foot special event facility with modified development standards located on a 1.79 acre north of N. Greenville Avenue, east of N. Glenville Drive and is zoned I-M (1) Industrial.

Mr. Spicer explained that the applicant is requesting a reduction in the percentage of exterior masonry for the north, south and west building elevations in lieu of 80%, a reduced parking ratio of 7.8 spaces per 1,000 square feet of building area in lieu of 1 space per 100 square feet of building area and allowance of a lot without street frontage.

Mr. Spicer stated that the CPC recommended approval of the request 7-0, subject to the acquisition of a mutual access and parking agreement with the adjoining property owner to the north (Verizon). He stated that no correspondence has been received either for or against.

Mr. Spicer further explained that subsequent to the Commission's hearing, the applicant was unable to acquire the required parking agreement from Verizon; therefore, the applicant's request is that the parking portion of the Agreement not be required as a condition of approval. The applicant expanded the subject site to the west and revised the zoning exhibit (Exhibit "B-1") to provide the required number of parking spaces for the proposed facility at a parking ratio of 1 space per 100 square feet of building area. The access easement will be acquired as depicted on the zoning exhibit.

#### **Council Comments**

Councilmember Mitchell asked if there is a master plan for this area. Mr. Spicer replied that there is not. City Manager Johnson further explained that the overall zoning and comp plan give direction to this area.

Councilmember Omar expressed concerns with the proposal mainly focusing on the location and stating that the proposed development would lower the opportunity for a primary employer with an office campus to locate on the property. He suggested other locations on smaller parcels of land in the vicinity.

Mayor Townsend inquired about the parking being contiguous to the building. Mr. Spicer confirmed that it was.

# <u>Item 9 – VAR 12-07</u>

#### **Staff Comments**

Susan Smith, Assistant Director of Development Services addressed Council on this item explaining the request by Doug Jorgensen, representing signs manufacturing, is for approval of a variance to the sign regulations of the Spring Valley Station District ordinance to allow a 20' pole sign and a digital display. Ms. Smith explained that in April 2004, the Sign Control Board approved a variance to allow the sign one foot east of the property line and the sign permit was not issued until August of 2011. She stated that a request to modify the sign permit was received in December 2011 and the CPC unanimously approved the sign variance in August 2012 with the condition to clad the pole as required under the current sign regulations. Ms. Smith stated the variance approved by the CPC is final unless City Council reverses or modifies the request.

#### **Council Comments**

Councilmember Dunn asked if there are any regulations from the utility companies regarding having signage that close. Ms. Smith explained that the sign cannot be in the utility easement and it is not.

Council expressed concerns with the entire area being cluttered with signage noting that they are non-conforming with the current sign ordinance. Council also expressed concerns with the time of approval being so long ago.

City Manager Johnson explained that the current sign ordinance does require an 18-month time limit from approval. He also explained that this particular case is grandfathered and does not fall under the requirements of the current sign ordinance. Ms. Smith also explained that Chapter 18 (Signs) does not apply to the district.

Mayor Pro Tem Maczka noted that the sign has already been approved and denying it would only mean that the sign can be erected at the original location without the CPC's additional requirement of cladding the pole.

# <u>Item 10 – VAR 12-08</u>

#### **Staff Comments**

Ms. Smith addressed Council on this item explaining this is a request for approval of a variance to the Subdivision and Development Code, Chapter 21, Article III, section 21-52(i) [Offstreet Parking] for reduction in parking for the North Rich Plaza Shopping Center located on the south side of Arapaho Road, west of Custer Road. She stated the applicant is requesting a 40 space (13%) parking reduction to accommodate the existing uses and potential future tenants within the retail shopping center.

Ms. Smith stated that CPC recommended approval with a 4-3 vote and no correspondence either for or against was received.

# **Council Comments**

Councilmember Omar asked why the variance was requested. Ms. Smith explained that parking has to be calculated for unoccupied spaces in the shopping center.

There was some Council discussion regarding how the parking calculations are determined.

# Items 11-16 -Budgetary Items

# **Staff Comments**

City Manager Johnson informed Council that Items 11-16 were all budgetary items noting that Item 12 has special instructions for a specific motion as required by the Tax Code.

# B. Review and Discuss the Midyear Crime Statistics and Police Department Update

#### **Staff Comments**

This item was not discussed and will be rescheduled for a future meeting.

# C. Review and Discuss the Richardson Arts Commission's 2012 - 2013 Arts Grant Funding

#### **Staff Comments**

Assistant City Manager Michelle Thames addressed Council on this item giving a background on the Arts Commission and recognizing the Commission members lead by Chair, Abby Kratz; and City Council Liaison, Amir Omar. She reviewed the grant process and commended the Commission on the long and tedious process of reviewing applications. Ms. Thames stated that 26 applications were received for a total requested amount of \$470,524. She reviewed the history of grant awards and the current awards as recommended by the Arts Commission. Ms. Thames explained that if there was no opposition to the recommendations, they would be on the September 24, 2012 Council agenda for approval.

Abby Kratz thanked Michelle for her work with the Art Commission and noted the tremendous amount of work she puts into it.

#### **Council Comments**

Councilmember's Omar and Mitchell also thanked Michelle and the Commission for their work.

# D. Review and Discuss a Proposal for a Regional Trail Connection at Breckinridge Park

#### **Staff Comments**

This item was not discussed and will be rescheduled for a future meeting.

# E. Report on Items of Community Interest

# **Council Comments**

Mayor Pro Tem Maczka acknowledged Assistant City Manager Michelle Thames for her years of service and dedication to the City in recognition of her last City Council meeting.

# ADJOURN WORK SESSION AND CONVENE REGULAR MEETING

Mayor Townsend adjourned the Work Session at 7:27 p.m. and convened the Regular Meeting at 7:32 p.m.

- 1. INVOCATION STEVE MITCHELL
- 2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS STEVE MITCHELL
- 3. MINUTES OF THE AUGUST 13, 2012, AUGUST 27, 2012, AND SEPTEMBER 4, 2012 MEETINGS

# **Council Comments**

Mayor Townsend noted a correction in the adjournment time to the Minutes for September 4, 2012.

#### **Council Action**

Councilmember Omar moved to approve the Minutes with the noted correction. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

# 4. VISITORS

There were no visitor comments submitted.

5. CONSIDER APPOINTMENTS TO THE CITY PLAN COMMISSION AND CIVIL SERVICE BOARD.

# **Council Action**

Councilmember Mitchell moved to appoint the following:

# City Plan Commission - terms expire August 1, 2012

Reappoint Gerald Bright (Dist. 1) as board member, term expiring August 1, 2014 Reappoint Janet DePuy (Dist. 3) as board member, term expiring August 1, 2014 Appoint Randy Roland as Even Year Alternate – no term limit for alternates

Designate Marilyn Frederick as the At-Large Representative for the remainder of her existing term expiring August 1, 2013.

Designate Eron Linn as the District 2 Representative for the remainder of his existing term expiring August 1, 2014.

# <u>Civil Service Board – terms expire August 31, 2012</u>

Reappoint Bill Harper (Dist. 3) as board member, term expiring August 31, 2014

Councilmember Solomon seconded the motion. A vote was taken and passed, 7-0. City Secretary Nemer administered the oath of office to Randy Roland, newly appointed City Plan Commissioner.

#### **PUBLIC HEARING ITEMS:**

6. PUBLIC HEARING, ZONING FILE 12-13: A REQUEST BY MICHAEL F. TWICHELL, REPRESENTING SHIRE DEVELOPMENT, LLC, FOR AMENDMENTS TO THE PD PLANNED DEVELOPMENT STANDARDS TO ACCOMMODATE THE DEVELOPMENT OF AN INDEPENDENT LIVING FACILITY FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF INFOCOM DRIVE AND SHIRE BOULEVARD. THE PROPERTY IS CURRENTLY ZONED PD PLANNED DEVELOPMENT.

# **Staff Comments**

Michael Spicer, Development Services Director, reviewed this item.

#### **Council Comments**

Councilmember Dunn clarified that the original condominiums could be built under the current zoning. Mr. Spicer confirmed that with the current zoning and after development plans are approved, condominiums could be built on this property.

#### **Public Hearing**

Mayor Townsend opened the public hearing at 7:49.

Mr. Dale Wamstad, owner and developer, addressed Council in support of the request, reviewed the development plans, and responded to questions from Council.

Councilmember Mitchell asked if the units would be for purchase or lease. Mr. Mitchell also asked about the amenities. Mr. Wamstad stated that the units would be for lease at approximately \$2.00 per square foot and explained that he plans to develop a hotel which will have amenities that can be used by residents. Mr. Wamstad stated there would be 56 units with some being 960 sq. ft. and some being 840 sq. ft.

Councilmember Omar asked Mr. Wamstad what he has invested in this project. Mr. Wamstad responded that he has invested \$6M of his own money. He also noted that his various projects have brought \$24M in revenue to the City.

Mayor Townsend expressed concerns with no covered parking. Mr. Wamstad responded that there would be covered parking.

Ms. Jacqueline Williamson, an Ebby Halliday representative, spoke in favor of the proposed development stating it is a good use for the property and a win/win project.

With no further public comments, Councilmember Dunn moved to close the public hearing, seconded by Councilmember Solomon. The motion passed unanimously and the public hearing was closed at 8:10 p.m.

Mayor Pro Tem Maczka and Councilmember's Mitchell and Dunn expressed support of the proposed development and appreciation to Mr. Wamstad.

# Council Action

Councilmember Solomon moved to approve as presented. Councilmember Dunn seconded the motion. Before the vote was taken, Development Services Director, Michael Spicer, advised Council that the required minimum average square foot of each unit should be 900 sq. ft. and the minimum parking set back should be 10 ft. Mr. Solomon and Mr. Dunn agreed to amend the motion to include this language. A vote was taken and passed, 7-0.

7. PUBLIC HEARING, ZONING FILE 12-14: A REQUEST BY GREY STOGNER, REPRESENTING CRESTVIEW REAL ESTATE, LLC, FOR A SPECIAL PERMIT FOR A MOTOR VEHICLE SERVICE STATION WITH MODIFIED DEVELOPMENT STANDARDS AT 170 E. SPRING VALLEY ROAD (BETWEEN SPRING VALLEY ROAD AND CENTENNIAL BOULEVARD, EAST OF DART LIGHT RAIL). THE PROPERTY IS CURRENTLY ZONED PD PLANNED DEVELOPMENT.

# **Staff Comments**

Mr. Spicer reviewed this item.

#### **Public Hearing**

Mayor Townsend opened the public hearing at 8:23 p.m.

Mr. Grey Stogner, the applicant representing Crestview Real Estate, addressed Council speaking in favor of the request. Mr. Stogner introduced Mr. Richard Ferrara who reviewed the development plans for the project and responded to questions from Council.

Mr. Ferrara went over several exhibits that the applicant is requesting become part of the ordinance approving the project.

Mr. David Gleason, representing Centennial Park, spoke in favor of the request.

Councilmember Mitchell asked Mr. Gleason what his plans were for the corner of the property which is owned by his development. Mr. Gleason stated that he envisioned a monument sign for Brick Row. Mr. Mitchell stated he hoped it would be iconic with a "wow" factor.

Mr. Larry O'Dell spoke in favor of the request.

With no further public comments, Mayor Pro Tem Maczka moved to close the public hearing, seconded by Councilmember Dunn. The motion passed unanimously and the public hearing was closed at 9:02 p.m.

# **Council Comments**

Councilmember Mitchell noted the project has 37% landscaping.

Mayor Pro Tem Maczka stated this was the first mixed-use development in which some lessons have been learned. She stated it has been a difficult process but noted that 7-Eleven is a great project that will give people a reason to stop.

Councilmember Dunn stated he was not a fan of gas stations in the Transient Oriented Development (TOD).

Councilmember Solomon inquired about the sidewalks. Mr. Ferrara replied that the sidewalk would be completely rebuilt.

# **Council Action**

Mayor Pro Tem Maczka moved to approve including pages 13-16 as flagged by the applicant in the packet presented by the applicant at the meeting. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

8. PUBLIC HEARING, ZONING FILE 12-15: A REQUEST BY ELDON HAACKE, REPRESENTING TERRAFORM COMPANIES, FOR A SPECIAL PERMIT FOR A SPECIAL EVENTS AND ENTERTAINMENT FACILITY WITH MODIFIED DEVELOPMENT STANDARDS, FOR A PROPERTY LOCATED AT THE NORTHEAST CORNER OF GREENVILLE AVENUE AND GLENVILLE DRIVE. THE PROPERTY IS CURRENTLY ZONED I-M (1) INDUSTRIAL.

# **Staff Comments**

Mr. Spicer reviewed this item.

#### **Public Hearing**

Mayor Townsend opened the public hearing at 9:19 p.m.

Mr. Eldon Haacke, the applicant, spoke in favor of the request and responded to questions from Council.

Councilmember Solomon inquired about the white tile shown on the proposed building. Mr. Haacke showed a sample and explained that it is 18x24 porcelain grade.

Councilmember Mitchell inquired if the event center (Noah's) would be competition to the Eisemann Center.

Mr. Bill Bowser, developer of Noah's, addressed Council and explained the concept of Noah's stating it is a setting for friend and family intimate gatherings on weekends, and targeted to highend business conferences during the week. He stated it would not compete with the Eisemann Center or any other typical event facilities.

With no further public comments, Councilmember Dunn moved to close the public hearing seconded by Councilmember Hartley. The motion passed unanimously and the public hearing was closed at 9:33 p.m.

# **Council Comments**

Mayor Pro Tem Maczka, Councilmember Omar, and Councilmember Mitchell each stated they loved the concept, but all expressed concerns with the location of the event center.

Councilmember Omar expressed concerns with the property use and potential missed opportunities for a corporate campus.

Mayor Pro Tem Maczka inquired about this location and asked if the applicant had looked at other properties. Mr. Bowser responded that he had looked at other similar properties in the vicinity but they were not available. Mr. Bowser also explained his reasons for choosing the proposed location, stating that the location is an element to his business that cannot be explained with logic.

Councilmember Dunn stated it was a perfect concept and location and indicated he would rather approve what is before them now as opposed to waiting for something that may not come.

# **Council Action**

Councilmember Hartley moved to approve. Councilmember Dunn seconded the motion. A vote was taken and passed, 4-3 with Mayor Pro Tem Maczka and Councilmember's Omar and Mitchell opposed.

# **ACTION ITEMS:**

9. VARIANCE 12-07: A REQUEST BY DOUG JORGENSEN, REPRESENTING SIGNS MANUFACTURING, FOR APPROVAL OF A VARIANCE TO THE SIGN REGULATIONS OF THE SPRING VALLEY STATION DISTRICT ORDINANCE TO ALLOW A 20' POLE SIGN AND A DIGITAL DISPLAY. THE SITE IS LOCATED AT 208 W. SPRING VALLEY ROAD.

#### **Staff Comments**

Susan Smith, Assistant Director of Development Services reviewed this item.

#### **Council Comments**

Councilmember Omar stated he would rather take a gamble that the original sign would not be erected, than approve relocating the sign.

Ms. Smith informed Council that the applicant has indicated the sign has been manufactured and is ready to be installed.

Mayor Pro Tem Maczka clarified that if Council does not overturn the City Plan Commission (CPC) ruling, then it stands as is and the sign can be installed at the new location with the additional requirement of cladding the pole.

Councilmember Solomon stated that if the sign is going to go up, he is in support of the CPC ruling.

Councilmember Dunn commented that the sign is a non-conforming use. City Manager Johnson explained that the applicant has vested rights.

Ms. Smith explained that the request goes with the property and the sign would remain unless the property is redeveloped.

# **Council Action**

There was no action on this item, therefore the ruling from the City Plan Commission stands, allowing the sign to be relocated and requiring the pole to be cladded.

10. VARIANCE 12-08: A REQUEST BY TAG GILKSON, FOR APPROVAL OF A VARIANCE TO THE SUBDIVISION AND DEVELOPMENT CODE, ARTICLE III, SECTION 21-51(I) TO ALLOW A REDUCTION IN PARKING FOR THE NORTH RICH PLAZA SHOPPING CENTER. THE PROPERTY IS LOCATED AT 525 W. ARAPAHO ROAD.

# **Staff Comments**

Ms. Smith reviewed this item.

#### **Council Comments**

Councilmember Omar stated he is comfortable with approving the variance to allow the momentum to continue with more development.

Councilmember Mitchell stated he was struggling with approving the variance if the development is going to continue to have issues.

Mr. Daniel Eng, property owner, addressed Council stating that he owns 10-12 properties in Richardson. He explained that he has lost several tenants on this property due to the parking requirements. Mr. Eng said he has tenants waiting if the variance is approved. He also commented that he is trying to improve the property including paving of the parking lot.

There was some discussion with staff on the parking requirements and calculations with various scenarios.

Councilmember Dunn commended the applicant on the care of the property.

Councilmember Mitchell stated he wants to support the development and stressed how important it is to revitalize retail.

# **Council Action**

Councilmember Omar moved to approve as presented. Councilmember Mitchell seconded the motion. A vote was taken and passed, 7-0.

11. CONSIDER ORDINANCE NO. 3877, APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013.

# **Staff Comments**

City Manager Johnson informed Council that this ordinance and the next several agenda items are the final step in a long process of reviewing and approving the FY 2012-2013 budget. Dan acknowledged the Council, staff, and advisory boards for their work on the budget.

# **Council Comments**

Mayor Pro Tem Maczka commended the staff on the budget noting Mr. Johnson specifically, being his first budget as the new City Manager and within 90 days of being appointed. She noted that there is no increase in the tax rate and hasn't been in 10 years. She also noted that the budget allows the City to retire \$2M in debt, adjust the step pay plan in Police and Fire, and limit the use of the rate stabilization fund.

Councilmember Mitchell echoed Ms. Maczka's comments.

# **Council Action**

Mayor Pro Tem Maczka moved to approve Ordinance No. 3877 adopting a budget for the fiscal year beginning October 1, 2012 and ending September 30, 2013. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

12. CONSIDER ORDINANCE NO. 3878, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2012 (FISCAL YEAR 2012-2013) AT A RATE OF \$0.63516 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF RICHARDSON AS OF JANUARY 1, 2012.

# **Staff Comments**

City Manager Johnson stated that the State Tax Code requires specific wording for the motion to approve the tax rate and explained that although it is confusing language, the tax rate is not being increased.

#### **Council Action**

Mayor Pro Tem Maczka moved that the property tax rate be increased by the adoption of a tax rate of 0.63516, which is effectively a 0.36 percent increase in the tax rate. Councilmember Dunn seconded the motion. A vote was taken and passed, 7-0.

13. CONSIDER INCREASING THE PROPERTY TAX REVENUE THROUGH THE ADOPTION OF THE PROPOSED PROPERTY TAX RATE OF \$0.63516 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION.

#### **Council Action**

Councilmember Hartley moved to approve as presented. Councilmember Dunn seconded the motion. A vote was taken and passed, 7-0.

14. CONSIDER ORDINANCE NO. 3879, AMENDING THE CODE OF ORDINANCES BY AMENDING SECTION 23-98 TO ESTABLISH RATES TO BE CHARGED FOR WATER SERVICES FURNISHED BY THE CITY.

#### **Council Action**

Councilmember Mitchell moved to approve as presented. Councilmember Solomon seconded the motion. A vote was taken and passed, 7-0.

15. CONSIDER ORDINANCE NO. 3880, AMENDING THE CODE OF ORDINANCES BY AMENDING SECTION 23-168 TO ESTABLISH RATES TO BE CHARGED FOR SEWER SERVICES FURNISHED BY THE CITY.

#### **Council Action**

Councilmember Solomon moved to approve as presented. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

16. CONSIDER RESOLUTION NO. 12-16, ESTABLISHING ANIMAL SHELTER FEES.

# **Council Action**

Councilmember Dunn moved to approve as presented. Councilmember Solomon seconded the motion. A vote was taken and passed, 7-0.

# 17. CONSENT AGENDA:

ALL ITEMS LISTED UNDER ITEM 17 OF THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSIONS OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY:

#### A. ADOPTION OF THE FOLLOWING ORDINANCES:

- 1. ORDINANCE NO. 3876, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING FROM R-1100-M RESIDENTIAL TO O-M OFFICE.
- 2. ORDINANCE NO. 3881, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 12, TO ADD ARTICLE VII COMMUNITY HOMES FOR DISABLED PERSONS, TO ESTABLISH LOCATION REGULATIONS FOR QUALIFYING COMMUNITY HOMES FOR DISABLED PERSONS.

- B. AUTHORIZE THE ADVERTISEMENT OF BID #53-12 2010 STREET PHASE VII PAVEMENT REHABILITATION PROJECT, NORTH BOWSER (BELTLINE ROAD TO APOLLO ROAD) AND SOUTH GROVE ROAD (BELTLINE ROAD TO HIGHLAND BLVD). BIDS TO BE RECEIVED BY THURSDAY, SEPTEMBER 27, 2012 AT 2:00 P.M.
- C. CONSIDER AWARD OF THE FOLLOWING BIDS:
  - 1. BID #55-12 WE RECOMMEND THE AWARD TO JIM BOWMAN CONSTRUCTION COMPANY FOR THE 2010 SIDEWALK REPAIR PROGRAM PHASE IV (REGIONS 7 & 8) IN THE AMOUNT OF \$875,875.00.
  - 2. BID #56-12 WE RECOMMEND THE AWARD TO RATLIFF HARDSCAPE LTD., FOR THE 2010 NEIGHBORHOOD VITALITY BOND PROJECT BRIDGE ENHANCEMENTS AT DUCK CREEK, MARK TWAIN AND N. COLLEGE PARK NEIGHBORHOODS IN THE AMOUNT OF \$328,782.20.
  - 3. BID #01-13 WE REQUEST AUTHORIZATION TO INITIATE A 48-MONTH LEASE PURCHASE AGREEMENT WITH DELL FINANCIAL SERVICES FOR 2012-13 PERSONAL COMPUTER LEASE PURCHASE IN THE AMOUNT OF \$1,049,930.97 AT ZERO PERCENT FINANCING FOR FOUR YEARS.

# **Council Action**

Councilmember Hartley moved to approve the Consent Agenda, Item 17 A-C, as presented. Mayor Pro Tem Maczka seconded the motion. A vote was taken and passed, 7-0.

# **ADJOURNMENT**

With no further business, the meeting was adjourned at 10:35 p.m.

CITY SECRETARY

**ATTEST:**