

# MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL

May 10, 2010

City of Richardson, Texas

A Regular Meeting of the City Council was held at 7:30 p.m., Monday, May 10, 2010 with a quorum of said Council present, to-wit:

Gary Slagel	Mayor
Bob Townsend	Mayor Pro Tem
Mark Solomon	Council member
John Murphy	Council member
Bob Macy	Council member
Steve Mitchell	Council member
Amir Omar	Council member

City staff present:

Bill Keffler	City Manager
Dan Johnson	Deputy City Manager
Michelle Thames	Assistant City Manager Administrative Services
David Morgan	Assistant City Manager Community Services
Cliff Miller	Assistant City Manager Development Services
EA Hoppe	Assistant to the City Manager
Pamela Schmidt	City Secretary
John Webb	Director of Development Services

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1. **INVOCATION**
  2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS**
  3. **MINUTES OF THE APRIL 26, 2010 MEETING**

ACTION TAKEN: Mr. Mitchell moved approval of the minutes as presented; second by Mr. Omar and the motion was approved with a unanimous vote.

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#### 4. **VISITORS.**

Dr. Isufali Kundawala, 3709 Hackberry Lane, stated he was present to protest the payment of sick time and voiced his opinion regarding the payment of accumulated sick time. He felt it was unethical and immoral to be paid for unused sick time. He proposed that the city attorney review the payments and asked that the employees return the funds. Mayor Slagel advised Dr. Kundawala that he would like to visit with him at a future date about his concerns.

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5. **PUBLIC HEARING, ZONING FILE 10-06: A REQUEST BY JERRY ANDREWS, REPRESENTING THE PRACTICE TEE, TO REZONE 30.83 ACRES FROM TO-M TECHNICAL OFFICE TO LR-M(1) LOCAL RETAIL AT 3570 WATERVIEW PARKWAY (SE CORNER OF WATERVIEW PARKWAY AND RENNER ROAD). THE PROPERTY IS CURRENTLY ZONED TO-M TECHNICAL OFFICE.**

Mr. Keffler stated the request was to rezone approximately 30 acres owned by the University of Texas at Dallas from TO-M to LR-M(1). He stated that the uses and development standards of TO-M will remain the same based on the special conditions that had been previously approved. He advised that the change would allow the site to apply for a private club permit. He asked John Webb, Director of Development Services, to brief the Council.

Mr. Webb provided a location map of the site and stated that The Practice Tee currently holds a Special Permit to allow the facility to operate. He stated that the zoning is requested in order to allow The Practice Tee to sale beer and wine with a private club permit. He advised that Chapter 4 of the Code of Ordinances requires that private clubs have a base zoning of retail, commercial or planned development and the applicant has requested the most restrictive zoning category; that being the Local Retail district zoning. He advised that the Plan Commission unanimously recommended approval of the request, while maintaining the standards of the TO-M district. He provided photos of the existing club house.

Mayor Slagel opened the public hearing and invited the applicant to present the request.

Jerry Andrews, 17228 Village Lane, Dallas, stated the request was being made to assist them with marketing for events at the site and in response to the desire of customers. He felt it would be an enhancement to the operations. He provided his history with regard to managing golf courses and stated he preferred the private club permit because the staff would be required to swipe driver's licenses to insure proper age requirements are being met, although it would be more expensive for the operation.

There were no other speakers.

Mr. Townsend moved to close the public hearing; second by Mr. Macy and the motion was approved with a unanimous vote.

ACTION TAKEN: Mr. Murphy moved approval of ZF 10-06 as presented by the Plan Commission; second by Mr. Solomon and the motion was approved with a unanimous vote.

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## **6. CONSIDER VARIANCE REQUEST FOR THE PRACTICE TEE TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES WITHIN 300 FEET OF A SCHOOL.**

Mr. Keffler stated the school that is within the 300 ft. distance is with the University of Texas at Dallas. He noted the letter of support submitted by Dr. Dave Daniel of UT Dallas.

ACTION TAKEN: Mr. Townsend moved to approve the request for The Practice Tee to allow the sale alcoholic beverages within 300 feet of a school; second by Mr. Mitchell and approved with a unanimous vote.

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ALL ITEMS LISTED UNDER ITEM 7 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:

Mayor Slagel recognized the attendance of Randy Roland and congratulated him on his recent promotion to Assistant Chief of Police for the City of McKinney. He stated that Mr. Roland is very active in the community noting that he is President of his HOA and is the current Chair of the Zoning Board of Adjustments/Building & Standards Commission.

**7. CONSENT AGENDA:**

ACTION TAKEN: Mr. Murphy moved that the Consent Agenda be approved as presented; second by Mr. Macy and the motion was approved with a unanimous vote.

- A. Ordinance No. 3774, amending the Comprehensive Zoning Ordinance and Zoning Map to grant a change in zoning to grant a Special Permit for a drive-thru restaurant with special conditions on a 0.93-acre tract of land zoned LR-M(2) Local Retail, said tract being described as part of Lot 4C, Richardson Square Addition in Dallas County, Texas.
- B. Approve the following Resolutions:
1. Resolution No. 10-08, approving and authorizing publication of Notice of Intention to Issue Certificates of Obligation in an amount not to exceed \$18,500,000.00.
  2. Resolution No. 10-09, reappointing Councilmember John Murphy to the aggregated position of Representative to the Regional Transportation Council of the North Central Texas Council of Governments which fractional allocation membership is shared with the Town of Addison and the cities of Murphy, Sachse and Wylie.
  3. Resolution No. 10-10, nominating Councilmember Amir Omar to serve on the North Central Texas Council of Governments Clean Air Steering Committee.
  4. Resolution No. 10-11, supporting participation in the Cotton Belt Rail Line Corridor development, the preferred alignment of the Cotton Belt Rail Line as it interfaces with the DART Red Line to further facilitate rail transit service.
  5. Resolution No. 10-12, recognizing DART for being named the 2010 Outstanding Metropolitan Transit System by the Texas Transit Association and recognizing Gary C. Thomas for being selected as the 2010 Friend of Texas Transit Award.
  6. Resolution No. 10-13, nominating Councilmember Steve Mitchell to serve as a member of the North Central Texas Council of Governments Executive Board.
- C. Approve amendments to the rules and regulations of the City of Richardson's Municipal Civil Service System.
- D. Authorize advertisement of Bid #43-10 – 2010 entry features and screening wall improvements (JJ Pearce, North College Park, Northrich, Galatyn Park, Richardson Crossing). Bids to be received by Thursday, May 27, 2010 at 2:00 p.m.
- E. Award Bid #32-10 – authorization to issue an annual requirements contract to Southern Tire Mart for tire recapping pursuant to unit prices.

- F. Award of Competitive Sealed Proposal #901-10 to Cole Construction, Inc., for the City Hall/Civic Center and Library sidewalk repair project in the amount of \$977,600.
- G. Authorize the City Manager to execute Change Order #1 to Purchase Order #100901 to Schneider Electric for the 2010 Utility Security Improvements in the amount of \$46,970.71.

Mayor Slagel advised that Council would return to the Richardson Room to reconvene in Executive Session and recessed the meeting at 7:55 p.m.

EXECUTIVE SESSION

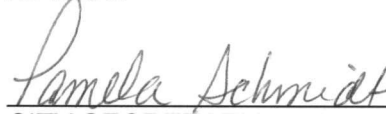
- In compliance with Section 551.072 of the Texas Government Code, Council convened into a closed session at 7:10 p.m. to discuss the following; recessed at 7:30 p.m. to convene the formal meeting in the Council Chamber. Council reconvened in Executive Session at 8:05 p.m.
  - Deliberation Regarding Real Property
    - Property Considerations in the Alma Rd./Greenville Ave., Arapaho Rd./Custer Rd., and Belt Line Rd./Plano Rd. Area
- Council reconvened into open session at 8:20 p.m. to take action, if any, on matters discussed in executive session.

ACTION TAKEN: None

Mayor Slagel adjourned the meeting at 8:20 p.m.

  
MAYOR

ATTEST:

  
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CITY SECRETARY