

STATE OF TEXAS  
COUNTY OF TARRANT  
CITY OF GRAPEVINE

The City Council of the City of Grapevine, Texas met in Workshop on this the 15th day of October, 2013 at 6:15 p.m. in the City Council Conference Room, Second Floor, 200 South Main Street, with the following members present to-wit:

William D. Tate	Mayor
C. Shane Wilbanks	Mayor Pro Tem
Sharron Spencer	Council Member
Roy Stewart	Council Member
Darlene Freed	Council Member
Mike Lease	Council Member
Chris Coy	Council Member

constituting a quorum, with the following members of the City Staff:

Bruno Rumbelow	City Manager
Jennifer Hibbs	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Jodi C. Brown	City Secretary

CALL TO ORDER

Mayor Tate called the workshop to order at 6:18 p.m.

ITEM 1. PUBLIC SAFETY BUILDING UPDATE

City Manager Bruno Rumbelow stated Staff had been working with Brinkley Sargent to develop the Public Safety Building elevations and then turned the presentation over to Hal Sargent who gave an overview of the project. Mr. Sargent reviewed the current site, surrounding development, the existing detention pond, public access, site analysis, building facades and materials. Following discussion, it was the consensus of Council to include historic architectural features on the building, to revise the concept of slanted walls on the court building and to utilize a darker color pallet for the building.

There was no formal action taken by the City Council.

ITEM 2. NASH FARM UPDATE

CVB Executive Director P.W. McCallum provided an update on the signing of the Nash Farm land use restrictions and stated that Staff was requesting input relative to the future fencing of Nash Farm. Mr. McCallum reviewed the Farm's site plan showing the proposed areas to be fenced. Following discussion on the height of the proposed fence, it was the consensus of Council that the height of the new fence not exceed the height of the existing fence.

There was no formal action taken by the City Council.

ADJOURNMENT

Mayor Pro Tem Wilbanks, seconded by Council Member Stewart, offered a motion to adjourn the workshop at 7:29 p.m. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

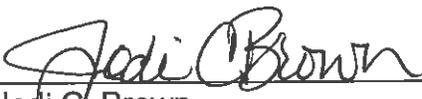
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 19th day of November, 2013.

APPROVED:

  
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William D. Tate  
Mayor



ATTEST:

  
\_\_\_\_\_  
Jodi C. Brown  
City Secretary

STATE OF TEXAS  
COUNTY OF TARRANT  
CITY OF GRAPEVINE

The City Council and the Planning & Zoning Commission of the City of Grapevine, Texas met in Regular Joint Session on this the 15th day of October, 2013 at 7:30 p.m. in the City Council Chambers, Second Floor, 200 South Main Street, with the following members of the City Council present to-wit:

William D. Tate	Mayor
C. Shane Wilbanks	Mayor Pro Tem
Sharron Spencer	Council Member
Roy Stewart	Council Member
Darlene Freed	Council Member
Mike Lease	Council Member
Chris Coy	Council Member

constituting a quorum, with the following members of the Planning & Zoning Commission:

Herbert Fry	Vice Chairman
Betty "BJ" Wilson	Member
Monica Hotelling	Member
Jim Fechter	Member
Gary Martin	Member
Beth Tiggelaar	Member
Theresa Mason	Alternate

constituting a quorum, with Chairman Larry Oliver and Commissioner Dennis Luers absent, with the following members of the City Staff:

Bruno Rumbelow	City Manager
Jennifer Hibbs	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Jodi C. Brown	City Secretary

CALL TO ORDER

Mayor Tate called the meeting to order at 7:39 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Gary Martin delivered the Invocation and led the Pledge of Allegiance.

ITEM 1. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU13-18  
AMERICAN EXPRESS LOUNGE

Mayor Tate declared the public hearing open.

Planning and Development Manager Ron Stombaugh stated that Conditional Use Application CU13-18 had been submitted by Marcus Schwartz (American Express Lounge) requesting a conditional use permit for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer, wine and mixed beverages) in conjunction with a restaurant. The subject property is located at 1000 International Parkway, Terminal D, Columns K.5/4.0 and is zoned "GU" Governmental Use District.

Mr. Marcus Schwartz and Mr. Shawn Sands requested favorable consideration of the application.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak and there was no correspondence to report.

Commissioner Wilson, seconded by Commissioner Hotelling, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Fry, Wilson, Hotelling, Fechter, Martin, Tiggelaar & Mason  
Nays: None  
Absent: Oliver & Luers

Council Member Lease, seconded by Mayor Pro Tem Wilbanks, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
Nays: None

ITEM 2. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU13-20 AND PLANNED DEVELOPMENT OVERLAY PD13-01 MICROLAND AMERICA

Mayor Tate declared the public hearing open.

Planning and Development Manager Stombaugh stated that Conditional Use Application CU13-20 and Planned Development Overlay PD13-01 had been submitted by Betts Hoover (Microland America). The conditional use application requests a permit for an outdoor commercial amusement for a miniature railroad exhibit and miniature botanical and bonsai garden and a planned development overlay to include but not be limited to deviation from the front yard landscape setback area. The subject property is located at 2451 West Grapevine Mills Circle and is zoned "CC" Community Commercial District Regulations.

Mr. Stombaugh advised the applicant proposes to develop an 18,226 square foot building featuring an open air trainscape exhibit, retail store, event room and interactive children play area with an outdoor miniature botanicals exhibit on the 3.90 acre property. Total parking being provided is 120; 113 spaces are required. The planned development overlay is required for the applicant to develop the site as intended relative to the front yard landscape setback (10 feet) being utilized for paving and vehicle use areas.

Mr. Grant Herrell requested favorable consideration of the application, and stated the applicant proposed adding landscaping between the subject property and adjacent properties as a buffer; utilizing an off-site construction area to reduce noise and traffic; and re-routing of water run-off into the City's drainage system. Civil Engineer John Blacker and Mr. Herrell answered questions from the Council and Commission relative to landscaping, the scale of the inside and outside train exhibits, construction time and hours of operation.

Mayor Tate invited guests present to comment regarding the application. The following persons spoke in opposition to the application citing an increase in noise, trash, traffic, height and appearance of the building's façade, sustainability of the venue and inadequate parking: Mr. Paul Herrbold, 2614 Eagle Circle; Ms. Judy Herrbold, 2614 Eagle Circle (registered but declined to speak); Ms. Mary Ann Higgins, 2610 Eagle Circle and Mr. Jon Briggs, 2618 Linkside Drive.

The Council and Commission were provided copies of the one letter of support and four letters of opposition from property owners within the notification area and two letters of opposition from citizens outside the notification area.

Commissioner Wilson, seconded by Commissioner Martin, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Fry, Wilson, Hotelling, Fechter, Martin, Tiggelaar & Mason  
 Nays: None  
 Absent: Oliver & Luers

Council Member Freed, seconded by Mayor Pro Tem Wilbanks, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
 Nays: None

ITEM 3. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU13-23  
GRAPEVINE HYUNDAI/SUBARU

Mayor Tate declared the public hearing open.

Planning and Development Manager Stombaugh stated that Conditional Use Application CU13-23 had been submitted by Pacheco Koch Consulting Engineers (Grapevine Hyundai/Subaru) requesting a conditional use permit for an automotive dealership with sales and service of new and used vehicles, two 40-foot pylon signs and an increase in building height to 25 feet. The subject property is located at 440 West State Highway 114 and is zoned "HC" Highway Commercial District.

Ms. Missy Monier requested favorable consideration of the application and stated there would be no light spill into the adjacent neighborhood, no after hours deliveries, no outdoor speakers and that all repairs and services would be performed indoors. Ms. Monier

answered that the applicant would be amenable to providing additional landscape screening to the north of the property and that each dealership required their own pylon sign but would consider joint signage.

Planning and Development Manager Stombaugh reviewed the history of the subject tract. Discussion ensued relative to property use.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak and one letter of concern was copied to the Council and Commission.

Commissioner Hotelling, seconded by Commissioner Wilson, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Fry, Wilson, Hotelling, Fechter, Martin, Tiggelaar & Mason  
Nays: None  
Absent: Oliver & Luers

Council Member Stewart, seconded by Council Member Freed, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
Nays: None

ITEM 4. PUBLIC HEARING, FINAL PLAT OF LOTS 1R AND 2, BLOCK 1, TEXAS BANK, REPLAT OF LOT 1, BLOCK 1, TEXAS BANK ADDITION

Mayor Tate declared the public hearing open.

Engineering Manager John Robertson reported that an application had been filed by the Grapevine Chamber of Commerce for the final plat of Lots 1R and 2, Block 1, Texas Bank, being a replat of Lot 1, Block 1, Texas Bank Addition. The 2.6464 acre property is located on the southeast corner of Main and Vine Streets and is zoned "PO" Professional Office District Regulations. The subject property is being platted into two lots.

There were no questions from the City Council or the Planning & Zoning Commission.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak and there was no correspondence to report.

Commissioner Wilson, seconded by Commissioner Fechter, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Fry, Wilson, Hotelling, Fechter, Martin & Tiggelaar  
Nays: None  
Abstain: Mason  
Absent: Oliver & Luers

Council Member Lease, seconded by Council Member Coy, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

ITEM 5. PUBLIC HEARING, FINAL PLAT OF LOTS 4-R1 AND 4-R2, BLOCK 2, DRUID HILLS, REPLAT OF LOT 4-R, BLOCK 2, DRUID HILLS

Mayor Tate declared the public hearing open.

Engineering Manager Robertson reported that an application had been filed by Marilyn Wilson for the final plat of Lots 4-R1 and 4-R2, Block 2, Druid Hills, being a replat of Lot 4-R, Block 2, Druid Hills. The 1.962 acre property is located at 3461 Blueberry Lane and is zoned "R-20" Single Family District Regulations. The subject property is being platted to subdivide the lot into two lots for the construction of a single family home on Lot 4-R2.

Mr. Stombaugh addressed Council's question on the 30-foot building setback by stating that was the setback being proposed by the applicant.

Mayor Tate invited guests present to comment regarding the application. Mr. Matt Carnes, 3417 Lookout Court, spoke in support of the application and it was noted there was no correspondence to report.

Commissioner Martin, seconded by Commissioner Wilson, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Fry, Wilson, Hotelling, Fechter, Martin, Tiggelaar & Mason

Nays: None

Absent: Oliver & Luers

Mayor Pro Tem Wilbanks, seconded by Council Member Coy, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

RECESS AND RECONVENE

Mayor Tate announced the Planning & Zoning Commission would recess to the Planning & Zoning Conference Room to consider published business.

The City Council remained in session in the Council Chambers to consider published business.

ITEM 6A. CITIZENS COMMENTS

There were no Citizens Comments.

NOTE: Mayor Tate commended the Grapevine Fire Department and surrounding agencies for their actions in responding to the Enclave Apartment fire on October 12th.

ITEM 6. PRESENTATION, SISTER CITY MISSION

Council Member Mike Lease, delegate of the Sister City Program's Krems, Austria mission, gave an overview of the mission conducted September 19-26. Mr. Lease stated the delegation met with Burgermeister Reinhard Resch along with two former Burgermeisters who were instrumental in developing the Grapevine/Krems program which allows an educational and culture exchange, viticultural (grape-growing) school experience and high school exchange programs. Planning meetings were attended for the July 2014 Trachtenkapelle Rossatz (traditional Austrian band) visit to Grapevine. During the mission visit, the delegation presented Grapevine's gift of a Texas pecan pie to Burgermeister Resch and Council Member Lease then presented Burgermeister Resch's special treats to the Council.

ITEM 7. APPROVE ADDITIONAL FUNDING PARTICIPATION, STATE HIGHWAY 121 SECTION 13 IMPROVEMENTS PROJECT

Assistant Public Works Director Scott Dyer presented an additional funding for participation with the Texas Department of Transportation (TxDOT) for acquisition of right-of-way for the State Highway 121 Section 13 Improvements and requested authorization for Staff to issue additional funds to TxDOT in the amount of \$149,834.20. Phase I of the project has been successful in removing the main lane traffic from the at-grade signalized crossings, however, it limits access to surrounding commercial areas. Phase II provides full access to Grapevine Mills Mall and the impacted commercial areas through the use of several braided ramps. The additional funding participation is to cover increased right-of-way acquisition costs.

Council Member Spencer, seconded by Mayor Pro Tem Wilbanks, offered a motion to approve the additional funding participation. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

ITEM 8. TRINITY RIVER MITIGATION BANK CREDITS, RUSTIC DRIVE CULVERT PROJECT

Assistant Public Works Director Dyer requested authorization to enter into a Credit Sales Agreement with the Trinity River Mitigation Bank, LP in the amount of \$98,000.00 to mitigate the environmental impact of the Rustic Drive Culvert Project and authorization for Staff to execute the agreement. Under the terms of the approved U.S. Army Corps of

Engineers' Section 404 Permit, the City is required to provide compensatory mitigation for the unavoidable adverse environmental impacts as a result of the drainage improvements to the Rustic Drive drainage channel.

Council Member Freed, seconded by Council Member Lease, offered a motion to approve the credit sales agreement. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
Nays: None

ITEM 9. AWARD CONSTRUCTION CONTRACT, MUSTANG WATER TOWER  
INLINE PUMP PROJECT

Assistant Public Works Director Dyer recommended approval to award a construction contract for the Mustang Water Tower Inline Pump Project to A. Uptergrove Company, Inc. in the amount of \$197,540.00, authorizing a project contingency in the amount of \$15,000.00 and authorization for Staff to execute the contract. The pump station project will improve water quality and allow Staff to cycle the water in the tower while maintaining water pressure to the highest elevations in the City.

Mayor Pro Tem Wilbanks, seconded by Council Member Stewart, offered a motion to approve the construction contract award. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
Nays: None

ITEM 10. ORDINANCE, ATMOS ENERGY MID-TEX DIVISION'S FIRST ANNUAL  
RATE REVIEW MECHANISM (RRM) RATE INCREASE

Assistant City Manager Jennifer Hibbs presented an ordinance approving Atmos Energy Mid-Tex Division's first annual Rate Review Mechanism (RRM) rate increase under the renewed RRM tariff for natural gas base rates. Atmos originally filed a system-wide rate increase requesting \$22.7 million and agreed to the \$16.6 million settlement, which is \$11 million less than Atmos would have been entitled to under a Gas Reliability Infrastructure Program "GRIP" filing. The settlement will result in a \$0.74 monthly increase on the average residential bill. Calculations for this increase are based on consumption and do not affect the fixed monthly portion of the bill, and only relate to the distribution of gas not to the cost of gas. The Council Utility Committee and City Attorney reviewed the proposed ordinance.

Council Member Freed, seconded by Council Member Stewart, offered a motion to approve the ordinance as recommended. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
Nays: None

ORDINANCE NO. 2013-45

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, APPROVING A NEGOTIATED RESOLUTION BETWEEN THE ATMOS CITIES STEERING COMMITTEE AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2013 ANNUAL RATE REVIEW MECHANISM FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; REPEALING CONFLICTING RESOLUTIONS OR ORDINANCES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EMERGENCY; DECLARING AN EFFECTIVE DATE; PROVIDING A MOST FAVORED NATIONS CLAUSE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE STEERING COMMITTEE'S LEGAL COUNSEL

ITEM 11. RESOLUTION, AUTHORIZE EMERGENCY MEDICAL SERVICES BILLING AND COLLECTION SERVICES ANNUAL CONTRACT

Controller Karen Walker recommended approval of a resolution authorizing an annual contract for emergency medical services (EMS) billing and collection services with Digitech Computer, Inc. in an annual estimated amount of \$82,000.00 through an Interlocal Cooperative Agreement with the City of Plano, Texas. The initial contract is for a one-year period with two optional, one-year renewals.

Council Member Freed, seconded by Council Member Coy, offered a motion to approve the annual contract. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

RESOLUTION NO. 2013-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO CONTRACT FOR EMERGENCY MEDICAL SERVICES (EMS) BILLING AND

COLLECTION SERVICES THROUGH AN ESTABLISHED  
INTERLOCAL PARTICIPATION AGREEMENT AND  
PROVIDING AN EFFECTIVE DATE

**CONSENT AGENDA**

The next order of business for the City Council was to consider the consent agenda items, which were deemed to need little or no discussion and were acted upon as one business item. Mayor Tate asked if there was any member of the audience or the City Council who wished to remove an item from the consent agenda for full discussion. Mayor Tate announced Item 23 Investment Policy had been removed by Staff and would be presented at a future meeting.

**Item 12. Extend Conditional Use Application CU12-24 RaceTrac**

Development Services Director recommended approval of the one-year extension to Conditional Use Application CU12-24 filed by Adams Engineering (RaceTrac) for a conditional use permit to establish a planned commercial center with the possession, storage, retail sale and off-premise consumption of alcoholic beverages (beer and wine only) in conjunction with a convenience store, gasoline sales and outside dining. The subject property is located at 3955 Grapevine Mills Parkway and is zoned "CC" Community Commercial District Regulations. The extension will expire on July 17, 2014.

Motion by Council Member Stewart, seconded by Council Member Lease, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
Nays: None

**Item 13. Extend Special Use Permit SU12-05 Oncor Substation**

Development Services Director recommended approval of the one-year extension of Special Use Permit SU12-05 filed by Masterplan (Oncor Substation) for a special use permit for a public utility distribution facility and equipment. The subject property is located at 1095 Texan Trail and is zoned "LI" Light Industrial District. Oncor Electric Delivery is unable to close on the subject property until improvements to Old Dallas Road are completed and then accepted by the City. The extension will expire on January 15, 2015.

Motion by Council Member Stewart, seconded by Council Member Lease, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
Nays: None

**Item 14. Resolution, Authorize Dove Park Pavilion Purchase**

Parks & Recreation Director recommended approval of a resolution authorizing the purchase of a pavilion for Dove Park from The PlayWell Group, Inc. in an amount not to exceed \$45,564.46 through an Interlocal Participation Agreement with The Local Government Purchasing Cooperative (Buyboard).

Motion by Council Member Stewart, seconded by Council Member Lease, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
Nays: None

RESOLUTION NO. 2013-90

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO PURCHASE A PAVILION FOR DOVE PARK THROUGH AN ESTABLISHED INTERLOCAL PARTICIPATION AGREEMENT AND PROVIDING AN EFFECTIVE DATE

Item 15. Renew Fire Fighter Uniforms Annual Contract

Fire Chief recommended approval to renew an annual contract for the purchase of fire fighter uniforms from GST Public Safety Supply, LLC in the budgeted amount of \$40,000.00 through an Interlocal Agreement with the City of Bedford, Texas. This is the second annual renewal of the three optional, one-year renewals available.

Motion by Council Member Stewart, seconded by Council Member Lease, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
Nays: None

Item 16. Renew Inspection and Repairs of Protective Clothing Sole Source Annual Contract

Fire Chief recommended approval of the renewal of a sole source annual contract with Gear Cleaning Solutions, LLC in the estimated budgeted amount of \$16,000.00 for the inspection and repairs of protective clothing for the Fire Department. This is the first renewal of the four optional, one-year renewals available.

Motion by Council Member Stewart, seconded by Council Member Lease, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
Nays: None

Item 17. Renew Library ILS Computer System Contract

City Manager recommended approval of the renewal of the contract with SIRSI Corporation for the Library ILS computer system in an amount not to exceed \$51,523.12. The renewal is for a one-year period and expires September 30, 2014.

Motion by Council Member Stewart, seconded by Council Member Lease, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

Item 18. Renew Pavement Stabilization Annual Contract

Public Works Director recommended approval to renew the annual contract for pavement stabilization with Nortex Concrete Lift and Stabilization, Inc. in the budgeted amount of \$100,000.00 through an Interlocal Agreement with the City of Grand Prairie, Texas. This is the second annual renewal of the four optional, one-year renewals available.

Motion by Council Member Stewart, seconded by Council Member Lease, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

Item 19. Approve Interlocal Agreement, Environmental Collection Center and Household Hazardous Waste Program

Public Works Director recommended approval of an Interlocal Agreement with the City of Fort Worth for continued participation in the Environmental Collection Center and Household Hazardous Waste Program and authorization for the City Manager to execute the agreement.

Motion by Council Member Stewart, seconded by Council Member Lease, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

Item 20. Ordinance, Amend Chapter 23 Traffic, Section 23-34 Turns Prohibited on College Street

Public Works Director recommended approval of an ordinance amending the Grapevine Code of Ordinances, Chapter 23 Traffic, Section 23-34 Turns Prohibited, to prohibit U-turns on westbound College Street between Drexel Drive and Pebblebrook Drive, and to prohibit

left turns from Cannon Elementary's Drop-Off Area Exit driveway located east of Pebblebrook Drive to eastbound College Street.

Motion by Council Member Stewart, seconded by Council Member Lease, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

**ORDINANCE NO. 2013-46**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AMENDING THE GRAPEVINE CODE OF ORDINANCES BY AMENDING CHAPTER 23 TRAFFIC, SECTION 23-34, TURNS PROHIBITED; AUTHORIZING THE ERECTION OF TRAFFIC REGULATION SIGNS; REPEALING CONFLICTING ORDINANCES; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH AN OFFENSE OCCURS OR CONTINUES; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

**Item 21. Award Quote for Emergency Medical Continuing Education Program Annual Contract**

Fire Chief recommended approval to award a quote for an annual contract with Red River Medical Institute in an amount not to exceed \$26,400.00 for an emergency medical continuing education program. The initial contract is for a one-year period with three, one-year optional renewals.

Motion by Council Member Stewart, seconded by Council Member Lease, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

**Item 22. Approve Adopt-An-Area Agreement, Acorn Woods Park**

Parks & Recreation Director recommended approval of an Adopt-An-Area Agreement with Cori Kelly, REALTOR for Acorn Woods Park located off of Oak Grove Loop South.

Motion by Council Member Stewart, seconded by Council Member Lease, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
 Nays: None

Item 23. City Investment Policy

Mayor Tate announced that consideration of the City Investment Policy had been removed from the Consent Agenda by Staff and would be presented at a future Council meeting. No formal action was taken by the City Council.

Item 24. Consideration of Minutes

City Secretary recommended approval of the minutes of the October 1, 2013 City Council meetings as published.

Motion by Council Member Stewart, seconded by Council Member Lease, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
 Nays: None

ITEM 25. PLANNING & ZONING COMMISSION RECOMMENDATION  
CONDITIONAL USE APPLICATION CU13-18 AMERICAN EXPRESS  
LOUNGE

Vice Chairman Fry reported the Planning & Zoning Commission voted 7-0 for approval of Conditional Use Application CU13-18 filed by Marcus Schwartz (American Express Lounge) granting a conditional use permit for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer, wine and mixed beverages) in conjunction with a restaurant. The subject property is located at 1000 International Parkway, Terminal D, Columns K.5/4.0 and is zoned "GU" Governmental Use District.

Council Member Freed, seconded by Mayor Pro Tem Wilbanks, offered a motion to accept the Commission's recommendation and approve the ordinance granting the conditional use permit. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
 Nays: None

ORDINANCE NO. 2013-47

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH SECTION 48 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING CONDITIONAL USE PERMIT CU13-18 FOR THE POSSESSION, STORAGE, RETAIL SALE AND ON-PREMISE

CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER, WINE AND MIXED BEVERAGES) IN CONJUNCTION WITH A RESTAURANT IN A DISTRICT ZONED "GU" GOVERNMENTAL USE DISTRICT ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 26. PLANNING & ZONING COMMISSION RECOMMENDATION  
CONDITIONAL USE APPLICATION CU13-20 MICROLAND AMERICA

Vice Chairman Fry reported the Planning & Zoning Commission voted 7-0 for approval of Conditional Use Application CU13-20 filed by Betts Hoover (Microland America) with the stipulation that hours of operation be limited to Monday-Saturday from 9 a.m. to 9 p.m. and on Sunday from Noon to 9 p.m. The conditional use permit is for an outdoor commercial amusement for a miniature railroad exhibit and miniature botanical and bonsai garden. The subject property is located at 2451 West Grapevine Mills Circle and is zoned "CC" Community Commercial District Regulations.

Council Member Coy, seconded by Council Member Lease, offered a motion to accept the Commission's recommendation and stipulation, and approve the ordinance granting the conditional use permit. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy

Nays: None

ORDINANCE NO. 2013-48

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH SECTION 48 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING CONDITIONAL USE PERMIT CU13-20 FOR AN OUTDOOR COMMERCIAL AMUSEMENT IN A DISTRICT

ZONED "CC" COMMUNITY COMMERCIAL DISTRICT REGULATIONS ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 27. PLANNING & ZONING COMMISSION RECOMMENDATION  
PLANNED DEVELOPMENT OVERLAY PD13-01 MICROLAND AMERICA

Vice Chairman Fry reported the Planning & Zoning Commission voted 7-0 for approval of Planned Development Overlay PD13-01 filed by Betts Hoover (Microland America) requesting a planned development overlay to include but not be limited to deviation from the front yard landscape setback area requirement. The subject property is located at 2451 West Grapevine Mills Circle and is zoned "CC" Community Commercial District Regulations.

Council Member Freed, seconded by Council Member Stewart, offered a motion to accept the Commission's recommendation and approve the ordinance granting the planned development overlay. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
 Nays: None

ORDINANCE NO. 2013-49

AN ORDINANCE ISSUING A PLANNED DEVELOPMENT OVERLAY IN ACCORDANCE WITH SECTION 41 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING PLANNED DEVELOPMENT OVERLAY PD13-01 TO INCLUDE BUT NOT BE LIMITED TO DEVIATION FROM THE FRONT YARD LANDSCAPE SETBACK AREA IN A DISTRICT ZONED "CC" COMMUNITY COMMERCIAL DISTRICT REGULATIONS ALL

IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS PLANNED DEVELOPMENT OVERLAY PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 28. PLANNING & ZONING COMMISSION RECOMMENDATION  
CONDITIONAL USE APPLICATION CU13-23 GRAPEVINE HYUNDAI/  
SUBARU

Vice Chairman Fry reported the Planning & Zoning Commission voted 4-3 for approval of Conditional Use Application CU13-23 filed by Pacheco Koch Consulting Engineers (Grapevine Hyundai/Subaru) requesting a conditional use permit for an automotive dealership with sales and service of new and used vehicles, two 40-foot pylon signs and an increase in building height to 25 feet. The subject property is located at 440 West State Highway 114 and is zoned "HC" Highway Commercial District.

Council Member Freed, seconded by Council Member Stewart, offered a motion to accept the Commission's recommendation and approve the ordinance granting the conditional use permit. The motion failed by the following vote:

Ayes: Stewart & Freed

Nays: Tate, Wilbanks, Spencer, Lease & Coy

Council Member Spencer made a motion to **deny** the conditional use application. Council Member Coy offered a second and the motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Lease & Coy

Nays: Freed

ITEM 29. PLANNING & ZONING COMMISSION RECOMMENDATION  
FINAL PLAT, LOTS 1R AND 2, BLOCK 1, TEXAS BANK

Vice Chairman Fry reported the Planning & Zoning Commission voted 6-0-1 for approval of the Statement of Findings and the final plat of Lots 1R and 2, Block 1, Texas Bank. The

2.6464 acre property is located on the southeast corner of Main and Vine Streets and is zoned "PO" Professional Office District Regulations. The lot is being platted to divide the property into two lots.

Council Member Stewart, seconded by Council Member Spencer, offered a motion to accept the Commission's recommendation and approve the Statement of Findings and the final plat of Lots 1R and 2, Block 1, Texas Bank. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
Nays: None

ITEM 30. PLANNING & ZONING COMMISSION RECOMMENDATION  
FINAL PLAT, LOTS 4-R1 AND 4-R2, BLOCK 2, DRUID HILLS

Vice Chairman Fry reported the Planning & Zoning Commission voted 7-0 for approval of the Statement of Findings and the final plat of Lots 4-R1 and 4-R2, Block 2, Druid Hills. The 1.962 acre property is located at 3461 Blueberry Lane and is zoned "R-20" Single Family District Regulations. The subject property is being platted to subdivide the lot into two lots for the construction of a single family home on Lot 4-R2.

Council Member Freed, seconded by Council Member Coy, offered a motion to accept the Commission's recommendation and approve the Statement of Findings and the final plat of Lots 4-R1 and 4-R2, Block 2, Druid Hills. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
Nays: None

ADJOURNMENT

Mayor Pro Tem Wilbanks, seconded by Council Member Lease, offered a motion to adjourn the meeting at 9:13 p.m. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart, Freed, Lease & Coy  
Nays: None

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 19th day of November, 2013.

APPROVED:

  
William D. Tate  
Mayor



ATTEST:

  
\_\_\_\_\_  
Jodi C. Brown  
City Secretary