

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council of the City of Grapevine, Texas met in Regular Session on this the 19th day of March, 2019 in the City Council Chambers, Second Floor, 200 South Main Street, with the following members present:

William D. Tate	Mayor
Darlene Freed	Mayor Pro Tem
Sharron Rogers	Council Member
Chris Coy	Council Member
Duff O'Dell	Council Member
Paul Slechta	Council Member

constituting a quorum, with Council Member Mike Lease being absent, with the following members of the Planning and Zoning Commission:

Larry Oliver	Chairman
BJ Wilson	Vice Chairman
Monica Hotelling	Member
Beth Tiggelaar	Member
Gary Martin	Member
Dennis Luers	Member
Robert Rainwater	Alternate Member
Traci Hutton	Alternate Member

constituting a quorum, with Commissioner Jim Fechter being absent, and the following members of the City Staff:

Bruno Rumbelow	City Manager
Jennifer Hibbs	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Tara Brooks	City Secretary

Call to Order

Mayor Tate called the meeting to order at 7:01 p.m.

Item 1. Executive Session

Mayor Tate announced the City Council would recess to the City Council Conference Room to conduct a closed session regarding:

- A. Consultation with and legal advice from the City Attorney regarding pending or contemplated litigation (short term/transient rentals), pursuant to Section 551.071, Texas Government Code.

- B. Real property relative to deliberation to the purchase, exchange, lease, sale or value of real property (City facilities, Public Works, and the 185 acres) pursuant to Section 551.072, Texas Government Code.
- C. Conference with City Manager and Staff to discuss and deliberate commercial and financial information received from business prospects the City seeks to have locate, stay, or expand in the City; deliberate the offer of a financial or other incentive; with which businesses the City is conducting economic development negotiations pursuant to Section 551.087, Texas Government Code.

The City Council recessed to the City Council Conference Room and began the closed session at 7:06 p.m. The closed session ended at 7:23 p.m.

Upon reconvening in open session in the Council Chambers, Mayor Tate asked if there was any action necessary relative to Sections 551.071, 551.072 or 551.087. City Manager Bruno Rumbelow stated there was no action necessary.

REGULAR MEETING

Call to Order

Mayor Tate called the meeting to order at 7:32 p.m. in the City Council Chambers.

Item 2. Invocation and Pledge of Allegiance

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

JOINT PUBLIC HEARINGS

Item 3. Conditional Use Permit **CU19-01** (The Novus Academy)

The public hearing for this item was opened on February 19, 2019 and tabled to tonight's meeting.

Development Services Assistant Director Ron Stombaugh reported the applicant was requesting a conditional use permit to allow a private school. The subject property is located at 3400 William D. Tate Avenue and is currently zoned "CC" Community Commercial District.

Applicants Matthew Heaton presented the proposal and answered questions from the Commission and Council. Kathy Edwards with The Novus Academy answered questions from the Commission.

Lemoine Wright, 213 East College Street, Grapevine spoke in support of this request.

Motion was made to close the public hearing.

Motion: Luers

Second: Martin
Ayes: Oliver, Wilson, Hotelling, Tiggelaar, Martin, Luers and Rainwater
Nays: None
Approved: 7-0

Motion was made to close the public hearing.

Motion: O'Dell
Second: Coy
Ayes: Tate, Freed, Rogers, Coy, O'Dell and Slechta
Nays: None
Approved: 6-0

Item 4. Zoning Change Application **Z19-01** (222 Lucas Drive)

Mayor Tate declared the Public Hearing open.

Development Services Assistant Director Stombaugh reported the applicant was requesting to rezone 0.563 acres from "CC" Community Commercial District to "R-7.5" Single Family District for the existing development to become compliant with the proposed residential zoning district.

Applicant Randy Popiel presented this item. There were no questions from the Commission or Council.

No one spoke during the public hearing and there was no correspondence to report.

Motion was made to close the public hearing.

Motion: Wilson
Second: Martin
Ayes: Oliver, Wilson, Hotelling, Tiggelaar, Martin, Luers and Rainwater
Nays: None
Approved: 7-0

Motion was made to close the public hearing.

Motion: O'Dell
Second: Freed
Ayes: Tate, Freed, Rogers, Coy, O'Dell and Slechta
Nays: None
Approved: 6-0

Item 5. Zoning Change Application **Z19-02** (717 and 721 East Wall Street)

Mayor Tate declared the Public Hearing open.

Development Services Assistant Director Stombaugh reported the applicant was requesting to rezone 0.50 acres from "HC" Highway Commercial District to "R-7.5" Single Family District for the development of two single family lots.

Applicant David Smith presented this item and answered questions from Council.

No one spoke during the public hearing. There was one letter in opposition and one letter of concern provided to the Commission and Council.

Motion was made to close the public hearing.

Motion: Martin
Second: Hotelling
Ayes: Oliver, Wilson, Hotelling, Tiggelaar, Martin, Luers and Rainwater
Nays: None
Approved: 7-0

Motion was made to close the public hearing.

Motion: O'Dell
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell and Slechta
Nays: None
Approved: 6-0

Item 6. Conditional Use Permit **CU19-03** (Main Street Bread Baking Company)

Mayor Tate declared the Public Hearing open.

Development Services Assistant Director Stombaugh reported the applicant was requesting a conditional use permit to allow outside dining and outdoor speakers in conjunction with an event space to include on-premise consumption of alcoholic beverages (beer, wine and mixed beverages). The subject property is located at 316 South Barton Street and is currently zoned "CBD" Central Business District.

Applicants Yasmine and Fabien Goury presented this item and answered questions from the Commission and Council.

Development Services Assistant Director Stombaugh answered questions from the Council.

Chuck Bultmann, 334 South Main Street, Grapevine spoke in support of this request.

Michele McKechnie, 317 Church Street, Grapevine spoke in opposition of this request.

Chris Leighton, 1902 Saddle Ridge Drive, Grapevine spoke in support of this request.

There was one letter in opposition and one letter of concern provided to the Commission and Council.

Motion was made to close the public hearing.

Motion: Wilson
Second: Luers
Ayes: Oliver, Wilson, Hotelling, Tiggelaar, Martin, Luers and Rainwater

Nays: None
Approved: 7-0

Motion was made to close the public hearing.

Motion: Slechta
Second: Freed
Ayes: Tate, Freed, Rogers, Coy, O'Dell and Slechta
Nays: None
Approved: 6-0

Item 7. Historic Landmark District **HL18-04** (409 East Worth Street)

Mayor Tate declared the Public Hearing open.

Development Services Assistant Director Stombaugh reported the applicant was requesting designation as a historical landmark sub-district. The property is zoned "R-7.5" Single Family District. The preservation criteria were adopted by the Historic Preservation Commission at their December 19, 2018 meeting.

No one spoke during the public hearing and there was no correspondence to report.

Motion was made to close the public hearing.

Motion: Martin
Second: Hotelling
Ayes: Oliver, Wilson, Hotelling, Tiggelaar, Martin, Luers and Rainwater
Nays: None
Approved: 7-0

Motion was made to close the public hearing.

Motion: Coy
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell and Slechta
Nays: None
Approved: 6-0

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

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

Item 8. Citizen Comments

There was no one wishing to speak during citizen comments.

PRESENTATIONS

Item 9. Pattillo, Brown and Hill, LLC, the City's auditing firm, to present the annual audit report in compliance with the City Charter, Article 3, Section 3.14.

Internal Audit Director Nicole Bradshaw introduced Todd Pruitt from Pattillo, Brown and Hill LLC who reported the City received an unmodified opinion for the Fiscal Year 2018 financial statement.

NEW BUSINESS

Item 10. Consider **Resolution No. 2019-019** authorizing an agreement for award of Transportation Development Credits with the Regional Transportation Council, and take any necessary action.

Traffic Engineer Richard Larkins presented this item and answered questions from Council. The agreement will allow credits for the use of \$1,210,000 in transportation projects to include improvements to Fairway Drive, State Highway 26, Eules-Grapevine Road and the installation of fiber optic cable along Northwest Highway.

Motion was made to approve Resolution No. 2019-019 authorizing an agreement for the award of Transportation Development Credits.

Motion: Coy
Second: Rogers
Ayes: Tate, Freed, Rogers, Coy, O'Dell and Slechta
Nays: None
Approved: 6-0

RESOLUTION NO. 2019-019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO ENTER INTO THE AGREEMENT FOR AWARD OF TRANSPORTATION DEVELOPMENT CREDITS WITH THE REGIONAL TRANSPORTATION COUNCIL AND PROVIDING AN EFFECTIVE DATE

CONSENT AGENDA

Consent items are deemed to need little Council deliberation and will be acted upon as one business item. Any member of the City Council or member of the audience may request that an item be withdrawn from the consent agenda and placed before the City Council for full discussion. There were no requests to remove any items from the consent agenda.

Approval of the consent agenda authorizes the City Manager, or his designee, to implement each item in accordance with Staff recommendations.

Item 11. Consider an Interlocal Purchasing Agreement with the City of Highland Village.

Chief Financial Officer Greg Jordan recommended approval of the Interlocal Agreement with the City of Highland Village to in order to participate in various contracts established by either the City of Highland Village or the City of Grapevine.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Rogers
Ayes: Tate, Freed, Rogers, Coy, O'Dell and Slechta
Nays: None
Approved: 6-0

Item 12. Consider the award of Request for Bid RFB 483-2019 for the Botanic Gardens and Library fence project to Llano River Fence Company.

Library Director Ruth Chiego and Parks and Recreation Director Kevin Mitchell recommended approval of the award of RFB 483-2019 for fencing at the Botanic Gardens and Library for an amount not to exceed \$103,752.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Rogers
Ayes: Tate, Freed, Rogers, Coy, O'Dell and Slechta
Nays: None
Approved: 6-0

Item 13. Consider the renewal of an annual contract for the purchase of swimming pool chemicals with DCC, Inc.

Parks and Recreation Director Mitchell recommended approval of the renewal of the contract for the purchase of swimming pool chemicals to be used at Dove Waterpark and Pleasant Glade Pool and The REC aquatic facilities for an estimated amount of \$45,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Rogers
Ayes: Tate, Freed, Rogers, Coy, O'Dell and Slechta
Nays: None
Approved: 6-0

Item 14. Consider Amendment Number 2 to the Engineering Services Contract with Garver LLC for additional evaluation and redesign of the proposed Dewatering Improvements at the Grapevine Wastewater Treatment Plant and **Ordinance No. 2019-012** appropriating funds.

Public Works Director Bryan Beck recommended approval of the second amendment to the Engineering Services Contract for the Dewatering Improvements project for an

estimated amount of \$83,000. The additional work will include the design of a new dewatering screw press and to retain the existing belt filter press as an emergency backup.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Rogers
Ayes: Tate, Freed, Rogers, Coy, O'Dell and Slechta
Nays: None
Approved: 6-0

ORDINANCE NO. 2019-012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE APPROPRIATION OF AN ESTIMATED AMOUNT OF \$83,000 IN THE UTILITY ENTERPRISE CAPITAL FUND; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

Item 15. Consider the minutes of the March 5, 2019 Regular City Council meeting.

City Secretary Tara Brooks recommended approval of the minutes as provided.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Rogers
Ayes: Tate, Freed, Rogers, Coy, O'Dell and Slechta
Nays: None
Approved: 6-0

There was not an item 16 on this agenda.

PLANNING AND ZONING COMMISSION RECOMMENDATIONS

Item 17. Conditional Use Permit **CU19-01** (The Novus Academy)

Chairman Oliver reported the Planning and Zoning Commission approved the conditional use permit with a vote of 7-0, stipulating that the applicant establish and maintain a plan that avoids queuing or stacking of vehicles on public roads.

Motion was made to approve Conditional Use Permit CU19-01 for The Novus Academy and Ordinance No. 2019-013, stipulating that the applicant establish and maintain a plan that avoids queuing or stacking of vehicles on public roads.

Motion: Coy
Second: Rogers
Ayes: Tate, Freed, Rogers, Coy, O'Dell and Slechta

Nays: None
Approved: 6-0

ORDINANCE NO. 2019-013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, ISSUING CONDITIONAL USE PERMIT CU19-01 TO ALLOW FOR A PRIVATE SCHOOL IN THE "CC" COMMUNITY COMMERCIAL DISTRICT FOR LOT 1, BLOCK 1, GRAPEVINE III (3400 WILLIAM D. TATE AVENUE) 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); DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

Item 18. Zoning Change Application **Z19-01** (222 Lucas Drive)

Chairman Oliver reported the Planning and Zoning Commission approved the zoning change application with a vote of 7-0.

Motion was made to approve Zoning Change Application Z19-01 for 222 Lucas Drive and Ordinance No. 2019-014.

Motion: Freed
Second: Coy
Ayes: Tate, Freed, Rogers, Coy, O'Dell and Slechta
Nays: None
Approved: 6-0

ORDINANCE NO. 2019-014

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, GRANTING ZONING CHANGE Z19-01 ON A TRACT OF LAND OUT OF THE T. MAHAN SURVEY, ABSTRACT 1050 (222 LUCAS DRIVE), DESCRIBED AS BEING A TRACT OF LAND LYING AND BEING SITUATED IN THE CITY OF GRAPEVINE, TARRANT COUNTY, TEXAS MORE FULLY AND COMPLETELY DESCRIBED IN THE BODY OF THIS ORDINANCE; ORDERING A CHANGE IN THE USE OF

SAID PROPERTY FROM "CC" COMMUNITY COMMERCIAL DISTRICT TO "R-7.5" SINGLE FAMILY DISTRICT; 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 A ZONING CHANGE AND AMENDMENT THEREIN MADE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

Item 19. Zoning Change Application Z19-02 (717 and 721 East Wall Street)

Chairman Oliver reported the Planning and Zoning Commission approved the zoning change application with a vote of 7-0.

Motion was made to approve Zoning Change Application Z19-02 for 717 and 721 East Wall Street and Ordinance No. 2019-015.

Motion: Slechta
Second: O'Dell
Ayes: Tate, Freed, Rogers, Coy, O'Dell and Slechta
Nays: None
Approved: 6-0

ORDINANCE NO. 2019-015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS GRANTING ZONING CHANGE Z19-02 (717 AND 721 EAST WALL STREET) ON A TRACT OF LAND OUT OF THE A.F. LEONARD SURVEY, ABSTRACT 946, DESCRIBED AS BEING A TRACT OF LAND LYING AND BEING SITUATED IN THE CITY OF GRAPEVINE, TARRANT COUNTY, TEXAS MORE FULLY AND COMPLETELY DESCRIBED IN THE BODY OF THIS ORDINANCE; ORDERING A CHANGE IN THE USE OF SAID PROPERTY FROM "HC" HIGHWAY COMMERCIAL DISTRICT TO "R-7.5" SINGLE FAMILY DISTRICT; 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 A ZONING CHANGE AND AMENDMENT THEREIN MADE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS

(\$2,000.00); DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

Item 20. Conditional Use Permit **CU19-03** (Main Street Bread Baking Company)

Chairman Oliver reported the Planning and Zoning Commission approved the conditional use permit with a vote of 7-0, stipulating they will demolish the storage structures to establish parking along the drive, the occupancy limit will not exceed three times the number of parking spaces they provide on their own property, eliminate speakers, and provide solid screening along the property line.

Council discussed this item.

Development Services Assistant Director Stombaugh and Township Restoration Coordinator David Klempin answered questions from Council.

Motion was made to deny, without prejudice, Conditional Use Permit CU19-03 for Main Street Bread Baking Company.

Motion: Freed
Second: Rogers
Ayes: Tate, Freed, Rogers, Coy, O'Dell and Slechta
Nays: None
Approved: 6-0

Item 21. Historic Landmark District **HL18-04** (409 East Worth Street)

Chairman Oliver reported the Planning and Zoning Commission approved the historic landmark district designation with a vote of 7-0.

Motion was made to approve Historic Landmark District HL18-04 for 409 East Worth Street and Ordinance No. 2019-017.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell and Slechta
Nays: None
Approved: 6-0

ORDINANCE NO. 2019-017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, DESIGNATING HISTORIC LANDMARK SUBDISTRICT HL18-04 FOR THE AREA OF 409 EAST WORTH STREET AND PLATTED AS EAST 60'4 WEST 1'5 AND 12' ALLEY, BLOCK 34, CITY OF GRAPEVINE, ABSTRACT 422, WILLIAM DOOLEY SURVEY AND MORE SPECIFICALLY DESCRIBED HEREIN, IN A DISTRICT ZONED "R-7.5" SINGLE FAMILY DISTRICT; PROVIDING FOR THE ADOPTION OF THE WALDEN-

TRIGG HOUSE HISTORIC DISTRICT PRESERVATION CRITERIA; 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 A ZONING CHANGE AND AMENDMENT THEREIN MADE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ADJOURNMENT

Motion was made to adjourn the meeting at 9:27 p.m.

Motion: Coy
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell and Slechta
Nays: None
Approved: 6-0

Passed and approved by the City Council of the City of Grapevine, Texas on this the 2nd day of April, 2019.

APPROVED:



William D. Tate
Mayor

ATTEST:



Tara Brooks
City Secretary

