

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 15th day of August, 2023 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
Leon Leal	Council Member

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

Larry Oliver	Chairman
Monica Hotelling	Vice Chairman
Dennis Luers	Member
David Hallberg	Member
Traci Hutton	Member
Jason Parker	Member
Mark Assaad	Alternate Member

constituting a quorum, with Commission Beth Tiggelaar and Alternate Member Ben Johnson being absent, and with the following members of the City Staff:

Bruno Rumbelow	City Manager
Matthew C.G. Boyle	City Attorney
Tara Brooks	City Secretary

Item 1. Executive Session

Mayor Tate called the meeting to order at 7:00 p.m.

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 litigation (Muns, et al. v. Grapevine – Cause No. 348-303736-18), pursuant to Section 551.071, Texas Government Code.

- B. Real property relative to deliberation of the purchase, exchange, lease, sale or value of real property (City facilities, Public Works (East Worth Street), 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 6:34 p.m. The closed session ended at 7:30 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 requested Council approve the acquisition of the Worth Street Easement and authorize the City Manager to execute same and to take all other necessary action.

Motion was made to approve the acquisition of the Worth Street Easement and authorize the City Manager to execute same and to take all other necessary action.

Motion: Slechta
Second: O'Dell
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

REGULAR MEETING

Mayor Tate called the regular meeting to order at 7:34 p.m.

Item 2. Invocation and Pledge of Allegiance

Commissioner Dennis Luers gave the invocation and led the Pledge of Allegiance.

JOINT PUBLIC HEARINGS

Item 3. Zoning Change Application **Z23-01**, Concept Plan **CP23-01** (Oak Hill), **Preliminary Plat** for Lots 1-21, Block 1, Oak Hill and **Final Plat** for Lots 1-21, Block 1, Oak Hill

Mayor Tate opened the Public Hearing at the July 18, 2023 Joint City Council and Planning and Zoning Commission. This item was tabled to tonight's meeting at the July 18th meeting.

Planning Services Director Erica Marohnic reported the applicant was requesting to rezone 5.75 acres from “PCD”, Planned Commerce Development District to “R-5.0”, Zero-Lot-Line District, and to plat 21 lots. The subject property is located at 4700 State Highway 360.

Applicant Jake Born with 360 Land Partners, LLC presented this request and answered questions from the Commission and Council.

Planning Services Director Marohnic answered questions from Council.

David McIntire, 4707 Taylor Lane, Grapevine, spoke in opposition to this item.

Erin Maurer, 338 Hill Creek Lane, Grapevine, spoke in opposition to this item.

Garry Pearson, 4724 Taylor Lane, Grapevine, spoke in favor of this item.

In addition to the letters provided to the Commission and Council in their packets, there was one letter in support, one letter in protest and three letters amending their previous comments provided at the meeting.

Motion was made to close the public hearing.

Motion: Luers
Second: Hotelling
Ayes: Oliver, Hotelling, Luers, Hallberg, Hutton, Parker, and Assaad
Nays: None
Approved: 7-0

Motion was made to close the public hearing.

Motion: Coy
Second: Freed
Ayes: Tate, Freed, Rogers, Coy, O’Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 4. Conditional Use Permit **CU23-17** and Special Use Permit **SU23-03** (EVA Esports)

Mayor Tate declared the public hearing open.

Planning Services Director Marohnic reported the applicant was requesting a conditional use permit to allow for the possession, storage, retail sale and on and off premise consumption of alcoholic beverages (beer, wine, and mixed beverages) in conjunction with a restaurant and virtual gaming arena. The applicant was also requesting a special use permit to allow eight or more skill or coin-operated machines. The subject property is located at 2330 William D. Tate Avenue and is currently zoned “CC”, Community Commercial District.

Applicant Salem Thyme with EVA Esports presented this request and answered questions from the Commission and Council.

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

Motion was made to close the public hearing.

Motion: Parker
Second: Hotelling
Ayes: Oliver, Hotelling, Luers, Hallberg, Hutton, Parker, and Assaad
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, Slechta, and Leal
Nays: None
Approved: 7-0

Item 5. Conditional Use Permit **CU23-18** (Gaylord Texan Temporary Parking Lot)

Mayor Tate declared the public hearing open.

Planning Services Director Marohnic reported the applicant was requesting a conditional use permit to amend the previously approved site plan CU18-12 (Ordinance No. 2018-42) to expand the planned commercial center by five acres to construct a 700-space lighted temporary, gravel parking lot. The subject property is located at 816 Ruth Wall Road and is currently zoned "PCD", Planned Commerce Development District.

Applicant Charles Pacioni with the Gaylord Texan presented this request and answered questions from the Commission and Council.

Applicant AI Beams with Gaylord Texan answered questions from Council.

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

Motion was made to close the public hearing.

Motion: Parker
Second: Luers
Ayes: Oliver, Hotelling, Luers, Hallberg, Hutton, Parker, and Assaad
Nays: None
Approved: 7-0

Motion was made to close the public hearing.

Motion: Freed
Second: Coy

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 6. Conditional Use Permit **CU23-19** (Gaylord Texan New Access Driveway)

Mayor Tate declared the public hearing open.

Planning Services Director Marohnic reported the applicant was requesting a conditional use permit to amend the previously approved site plan CU18-12 (Ordinance No. 2018-42) to construct a new concrete access driveway off of Ruth Wall Road to the Gaylord Texan property for use by Gaylord owned vehicles and City of Grapevine emergency service vehicles. The subject property is located at 1501 Gaylord Trail and is currently zoned "PCD", Planned Commerce Development District.

Applicant Charles Pacioni with the Gaylord Texan presented this request and answered questions from the Commission and Council.

Applicant Al Beams with Gaylord Texan answered questions from Council.

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

Motion was made to close the public hearing.

Motion: Assaad
Second: Hutton
Ayes: Oliver, Hotelling, Luers, Hallberg, Hutton, Parker, and Assaad
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, Slechta, and Leal
Nays: None
Approved: 7-0

Item 7. Conditional Use Permit **CU23-20** (Three Barrels Beer Garden (Ferrari's Italian Villa and Chop House))

Mayor Tate declared the public hearing open.

Planning Services Director Marohnic reported the applicant was requesting a conditional use permit to amend the previously approved site plan CU20-25 (Ordinance No. 2021-04) for a planned commercial center to allow for the possession storage, retail sales, and on and off premise consumption of alcoholic beverages (beer, wine and mixed beverages) specifically to allow the addition of two outdoor pergolas with additional

outdoor seating, outdoor speakers and an 8-foot-tall screening fence. The subject property is located at 1200 William D. Tate Avenue and is currently zoned “CC”, Community Commercial District.

Applicants Jane Secchi and Francesco Secchi presented this request and answered questions from the Commission and Council.

Planning Services Director Marohnic answered questions from Council.

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

Motion was made to close the public hearing.

Motion: Luers

Second: Hutton

Ayes: Oliver, Hotelling, Luers, Hallberg, Hutton, Parker, and Assaad

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, Slechta, and Leal

Nays: None

Approved: 7-0

The Planning and Zoning Commission recessed to the Planning and Zoning Commission Conference Room, Second Floor, to consider published agenda items.

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

Item 8. Citizen Comments

Hans Strayer, 325 Ridge Road, Grapevine requested the City light or remove the flag that is held by the scarecrow located at Nash Farm.

CITY COUNCIL PUBLIC HEARING

Item 9. Mass Gathering Permit (FunBox)

Mayor Tate opened the public hearing.

Planning Services Director Marohnic reported the applicant was requesting a mass gathering permit to allow for an outdoor bounce park in the Grapevine Mills parking lot adjacent to the corner of West Grapevine Mills Circle and East Grapevine Mills Circle. The event will take place September 13, 2023 through November 20, 2023. The subject

property is located at 3000 Grapevine Mills Parkway and is currently zoned "CC", Community Commercial District.

Applicant George Tadros presented this request and answered questions from Council.

Joe Szymaszek with Grapevine Mills Mall addressed the benefit this will have for the Mall.

Jagger Tadros said that Funbox will give kids a chance to spend time with other kids and get off their phones.

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

Motion was made to close the public hearing.

Motion: Freed
Second: Rogers
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Motion was made to approve the Mass Gathering Permit for Funbox to be located at Grapevine Mills Mall September 13, 2023 through November 20, 2023.

Motion: Coy
Second: Rogers
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

NEW BUSINESS

Item 10. Consider **Resolution No. 2023-014** approving the use of the proposed ad valorem tax rate of 0.250560 per \$100 to calculate property tax revenue for the Fiscal Year 2024 Budget, and take any necessary action.

Acting Chief Financial Officer Jeff Strawn presented this item to Council. Per the Texas Property Tax Code, staff reported in order to calculate the ad valorem tax revenue in the Fiscal Year 2024 Budget the No New Revenue Rate will be .250561 per \$100. The Voter Approval Rate will be .265435 per \$100 and the Proposed Ad Valorem Tax Rate will be .250560 per \$100.

Council will consider and formally approve the tax rate and Fiscal Year 2024 Budget at the September 5, 2023 regular meeting.

Motion was made to approve Resolution No. 2023-014 approving the proposed ad valorem tax rate of 0.250560 per \$100.

Motion: O'Dell
Second: Coy

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

RESOLUTION NO. 2023-014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, APPROVING THE PROPOSED TAX RATES FOR TAX YEAR 2023 ON PROPERTY WITHIN THE CITY; AND PROVIDING AN EFFECTIVE DATE

Item 11. Council to consider approving and adopting the Americans with Disabilities Act (ADA) Transition Plan, and take any necessary action.

Risk Manager/ADA Coordinator Katie Misch presented this item to Council and described the history of the City's ADA Transition Plan and highlighted many of the ADA improvements that have been made throughout the City.

City Council discussed this item.

City Attorney Matthew C.G. Boyle answered questions from Council.

Motion was made to approve and adopt the Americans with Disabilities Act Transition Plan.

Motion: Slechta
Second: Freed
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Mayor Tate announced the Council would consider the recommendations of the Planning and Zoning Commission next.

PLANNING AND ZONING COMMISSION RECOMMENDATIONS

Item 29. Zoning Change Application **Z23-01** (Oak Hill)

Chairman Oliver announced the Planning and Zoning Commission approved the zoning change request with a vote of 6-1.

Council discussed this request.

City Attorney Boyle answered questions from Council.

Motion was made to approve Zoning Change Z23-01 Oak Hill and Ordinance No. 2023-038 with the condition upon Lots 1 through 6 to include a deed restriction to preserve trees south of the center line of the drainage easement.

Motion: Coy
Second: Rogers
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

ORDINANCE NO. 2023-038

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS GRANTING ZONING CHANGE Z23-01 FOR BLOCK 1, LOTS 1-21, OAK HILL ADDITION, BEING SITUATED IN THE CITY OF GRAPEVINE, TARRANT COUNTY, TEXAS (4700 STATE HIGHWAY 360) MORE FULLY AND COMPLETELY DESCRIBED IN THE BODY OF THIS ORDINANCE; ORDERING A CHANGE IN THE USE OF SAID PROPERTY FROM "PCD", PLANNED COMMERCE DEVELOPMENT DISTRICT TO "R-5.0", ZERO-LOT-LINE 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 30. Concept Plan **CP23-01** (Oak Hill)

Chairman Oliver announced the Planning and Zoning Commission approved the concept plan with a vote of 7-0.

Motion was made to approve Concept Plan CP23-01 Oak Hill.

Motion: O'Dell
Second: Coy
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 31. **Preliminary Plat** for Lots 1-21, Block 1, Oak Hill

Chairman Oliver announced the Planning and Zoning Commission approved the preliminary plat with a vote of 6-1.

Motion was made to approve the Statement of Findings and the Preliminary Plat of Lots 1-21, Block 1, Oak Hill.

Motion: Coy
Second: Freed
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 32. Final Plat for Lots 1-21, Block 1, Oak Hill

Chairman Oliver announced the Planning and Zoning Commission approved the final plat for Lots 1-21, Block 1, Oak Hill with a vote of 6-1.

Motion was made to approve the Statement of Findings and the Final Plat of Lots 1-21, Block 1, Oak Hill.

Motion: Coy
Second: Freed
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 33. Conditional Use Permit CU23-17 (EVA Esports)

Chairman Oliver announced the Planning and Zoning Commission approved the conditional use permit with a vote of 7-0.

Motion was made to approve Conditional Use Permit **CU23-17** (EVA Esports) and Ordinance No. 2023-044.

Motion: Freed
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

ORDINANCE NO. 2023-044

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ISSUING CONDITIONAL USE PERMIT CU23-17 TO ALLOW FOR THE POSSESSION, STORAGE, RETAIL SALE AND ON AND OFF PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER, WINE AND MIXED BEVERAGES) IN CONJUNCTION WITH A RESTAURANT FOR A VIRTUAL GAMING ARENA, FOR BLOCK 1, LOT 1, GRAYSON/121 ADDITION (2330 WILLIAM D. TATE AVENUE) IN A DISTRICT ZONED "CC", COMMUNITY COMMERCIAL 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); DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

Item 34. Special Use Permit **SU23-03** (EVA Esports)

Chairman Oliver announced the Planning and Zoning Commission approved the special use permit with a vote of 7-0.

Motion was made to approve Special Use Permit **SU23-03** (EVA Esports) and Ordinance No. 2023-045.

- Motion: Freed
- Second: Slechta
- Ayes: Tate, Freed, Rogers, Coy, O’Dell, Slechta, and Leal
- Nays: None
- Approved: 7-0

ORDINANCE NO. 2023-045

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, ISSUING SPECIAL USE PERMIT SU23-03 TO ALLOW FOR EIGHT OR MORE SKILL OR COIN OPERATED MACHINES IN CONJUNCTION WITH A VIRTUAL GAMING ARENA FOR BLOCK 1, LOT 1, GRAYSON 121 ADDITION (2330 WILLIAM D. TATE AVENUE) IN A DISTRICT ZONED “CC”, COMMUNITY COMMERCIAL 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 SPECIAL 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 35. Conditional Use Permit **CU23-18** (Gaylord Texan Temporary Parking Lot)

Chairman Oliver announced the Planning and Zoning Commission approved the conditional use permit with a vote of 7-0 with the conditions that the parking lot be approved five years from the date of approval and the applicant return between August 15, 2026 and August 15, 2027 with an update on future plans for the site.

Motion was made to approve Conditional Use Permit **CU23-18** (Gaylord Texan Temporary Parking Lot) and Ordinance No. 2023-046 with the conditions that the parking lot be approved five years from the date of approval and the applicant return between August 15, 2026 and August 15, 2027 with an update on future plans for the site.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

ORDINANCE NO. 2023-046

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ISSUING CONDITIONAL USE PERMIT CU23-18 TO AMEND THE PREVIOUSLY APPROVED SITE PLAN CU18-12 (ORDINANCE NO. 2018-42) TO EXPAND THE PLANNED COMMERCIAL CENTER BY FIVE ACRES TO CONSTRUCT A 700-SPACE LIGHTED TEMPORARY, GRAVEL PARKING LOT, LOCATED IN THE WILLIAM P HERRING SURVEY, ABSTRACT 664, TRACT 1 (816 RUTH WALL ROAD) IN A DISTRICT ZONED "PCD", PLANNED COMMERCE DEVELOPMENT 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); DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

Item 36. Conditional Use Permit **CU23-19** (Gaylord Texan New Access Driveway)

Chairman Oliver announced the Planning and Zoning Commission approved the conditional use permit with a vote of 7-0.

Motion was made to approve Conditional Use Permit **CU23-19** (Gaylord Texan New Access Driveway) and Ordinance No. 2023-047.

Motion: Coy
Second: Freed
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

ORDINANCE NO. 2023-047

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ISSUING CONDITIONAL USE PERMIT CU23-19 TO AMEND THE SITE PLAN APPROVED BY ORDINANCE NO. 2018-42 TO CONSTRUCT A NEW CONCRETE ACCESS DRIVEWAY OFF RUTH WALL ROAD TO THE GAYLORD TEXAN PROPERTY FOR USE BY GAYLORD OWNED VEHICLES AND CITY OF GRAPEVINE EMERGENCY SERVICE VEHICLES, FOR OPRYLAND ADDITION, UN-NUMBERED LOT, (1501 GAYLORD TRAIL) IN A DISTRICT ZONED "PCD", PLANNED COMMERCE DEVELOPMENT 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); DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

Item 37. Conditional Use Permit **CU23-20** (Three Barrels Beer Garden (Ferrari's Italian Villa and Chop House))

Chairman Oliver announced the Planning and Zoning Commission approved the conditional use permit with a vote of 7-0 with the condition that a maximum of three new speakers be allowed for a total of four outdoor speakers.

Motion was made to approve Conditional Use Permit **CU23-20** (Three Barrels Beer Garden (Ferrari's Italian Villa and Chop House)) and Ordinance No. 2023-048 with the condition that a maximum of three new speakers be allowed for a total of four outdoor speakers.

Motion: Freed
Second: Rogers

Council discussed this item.

Council Member Rogers withdrew her second.

Second: Coy
Ayes: Freed, Coy, O'Dell, Slechta, and Leal
Nays: Tate and Rogers
Approved: 5-2

ORDINANCE NO. 2023-048

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ISSUING CONDITIONAL USE PERMIT CU23-20 TO AMEND THE PREVIOUSLY APPROVED SITE PLAN CU20-25 (ORDINANCE NO. 2021-04), FOR A PLANNED COMMERCIAL CENTER WITH THE POSSESSION, STORAGE, RETAIL SALE AND ON- AND OFF-PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER, WINE AND MIXED BEVERAGES), TO ALLOW THE ADDITION OF TWO OUTDOOR PERGOLAS, ADDITIONAL OUTDOOR SEATING, OUTDOOR SPEAKERS AND AN 8-FOOT TALL SCREENING FENCE IN CONJUNCTION WITH A RESTAURANT IN A DISTRICT ZONED "CC", COMMUNITY COMMERCIAL DISTRICT BEING BLOCK 1, LOT 3R, TOWNE CENTER ADDITION NO. 2 (1200 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

Council continued with the agenda in the published order.

CONSENT AGENDA

Consent items are deemed to need little Council deliberation and were 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. No one requested to remove any items for the consent agenda.

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

Prior to the vote on the consent agenda, Council Member Rogers requested that staff review the decibel levels for any ice machines that are purchased relating to item 20. This item was not removed from the consent agenda.

Item 12. Consider approval of **Resolution No. 2023-015** to deny Oncor's application to amend its Distribution Cost Recovery Factor (DCRF).

City Manager Rumbelow recommended approval of the resolution to deny Oncor's application to amend the DCRF. The resolution authorizes the City to join the Steering Committee of Cities Served by Oncor to evaluate the filing, determine whether the filing complies with law, and determine further actions.

Motion was made to approve the consent agenda as presented.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

RESOLUTION NO. 2023-015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR AND UPDATE GENERATION RIDERS TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AUTHORIZING HIRING OF LEGAL COUNSEL; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL; AND PROVIDING AN EFFECTIVE DATE

Item 13. Consider approval for the replacement of the roof at the Historic Train Depot from McClung Roofing, Inc.

Convention and Visitors Bureau Director P.W. McCallum recommended approval to replace the roof at the Train Depot for a total amount not to exceed \$94,100.

Motion was made to approve the consent agenda as presented.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 14. Consider approval for the renewal of a contract for procurement card services with JPMorgan Chase Bank, N.A.

Acting Chief Financial Officer Strawn recommended approval of the renewal of a contract for procurement card services.

Motion was made to approve the consent agenda as presented.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 15. Consider approval of the annual contribution to Metroport Meals on Wheels program.

Acting Chief Financial Officer Strawn recommended approval of the annual contribution of \$22,000 be made to Metroport Meals on Wheels as allocated in the Fiscal Year 2023 operating budget.

Motion was made to approve the consent agenda as presented.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 16. Consider approval for the renewal of an annual contract for the purchase of fire department uniforms with Galls, LLC.

Fire Chief Darrell Brown recommended approval of the annual contract for the purchase of fire department uniforms on an as-needed basis, for an annual estimated amount of \$55,000.

Motion was made to approve the consent agenda as presented.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 17. Consider approval of renewal of the contract for health and wellness program with Virgin Pulse, Inc.

Human Resources Director Rachel Huitt recommended approval of the contract for a health and wellness program to benefit employees and their spouses enrolled in the City's health insurance in an estimated amount of \$25,000.

Motion was made to approve the consent agenda as presented.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 18. Consider approval of the purchase of a replacement pump for Oak Grove pump house from Precision Pump Systems.

Parks and Recreation Director Chris Smith recommended approval of the purchase of a submersible pump for the Oak Grove irrigation pump house for an amount not to exceed \$30,147.

Motion was made to approve the consent agenda as presented.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 19. Consider approval for the award of Best Value Bid 49-23 for an annual contract for janitorial services with Regent Services.

Police Chief Mike Hamlin and Public Works Director Bryan Beck recommended approval of the award of the annual contract for janitorial services for an annual estimated amount of \$1,086,000 to include City facilities and the Animal Shelter.

Motion was made to approve the consent agenda as presented.

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

Nays: None
Approved: 7-0

Item 20. Consider approval for the purchase of food services equipment, small wares, installation and supplies from Strategic Equipment, LLC.

Public Works Director Beck recommended approval for the purchase of equipment and supplies for the ice machines at City facilities in an annual amount not to exceed \$40,000.

Motion was made to approve the consent agenda as presented.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 21. Consider approval for the award of an informal request for quote for a sign production table from B & C Graphics, LLC.

Public Works Director Beck recommended approval of the award of an informal request for quote for a sign production table for an amount not to exceed \$32,560.

Motion was made to approve the consent agenda as presented.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 22. Consider approval of a fuel control software upgrade from E.J. Ward.

Public Works Director Beck recommended approval of the purchase of updated hardware and data migration of the fuel control system for an amount not to exceed \$42,779.

Motion was made to approve the consent agenda as presented.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 23. Consider approval for the purchase of a 2023 Chevrolet crew cab from Lake Country Chevrolet.

Public Works Director Beck recommended approval of a purchase of a 2023 Chevrolet crew cab to replace an exiting unit for an amount not to exceed \$52,100.

Motion was made to approve the consent agenda as presented.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 24. Consider approval for the purchase of dissolved oxygen sensors and oxidation-reduction potential sensors from HD Supply Facilities Maintenance.

Public Works Director Beck recommended approval of the purchase of dissolved oxygen sensors and oxidation-reduction potential sensors for the Train 3 aeration basin for an amount not to exceed \$29,666.

Motion was made to approve the consent agenda as presented.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 25. Consider approval to enter into a license agreement with the U.S. Army Corps of Engineers for a waterline along Dove Road.

Public Works Director Beck recommended approval of the license agreement for a waterline along Dove Road with a 25-year term at a cost of \$1,160.

Motion was made to approve the consent agenda as presented.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 26. Consider an appointment to the Library Board to fill an unexpired vacant position.

City Secretary Tara Brooks recommended approval of the reappointment of Megan Li to the Library Board for a term to expire in 2025.

Motion was made to approve the consent agenda as presented.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 27. Consider appointments to the Senior Citizens Advisory Board to fill two unexpired vacant positions.

City Secretary Brooks recommended approval of the reappointment of Lynda Adams and Carey Miller to the Senior Citizens Advisory Board with terms to expire in 2025.

Motion was made to approve the consent agenda as presented.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Item 28. Consider the minutes of the August 1, 2023 Regular City Council meeting and August 8, 2023 Special City Council meeting.

City Secretary Brooks recommended approval of the minutes as provided.

Motion was made to approve the consent agenda as presented.

Motion: Rogers
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

ADJOURNMENT

Motion was made to adjourn the meeting at 9:46 p.m.

Motion: Coy
Second: Freed
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal
Nays: None
Approved: 7-0

Passed and approved by the City Council of the City of Grapevine, Texas on this the 5th day of September, 2023.

APPROVED:



William D. Tate
Mayor

ATTEST:

Tara Brooks

Tara Brooks
City Secretary

