

**MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
AUGUST 12, 2008**

CALL TO ORDER

A regular meeting of the Euless City Council was called to order by Mayor Mary Lib Saleh at 4:05 p.m. on Tuesday, August 12, 2008, in the Precouncil Conference Room of City Hall, 201 North Ector Drive. Those present included: Mayor Mary Lib Saleh, Mayor Pro Tem Linda Martin, Council Members Tim Stinneford, Donna Mickan, Glenn Porterfield, and Perry Bynum. Council Member Leon Hogg was not present.

The precouncil meeting included:

- > A briefing by Director of Public Works Ron Young regarding a proposed Municipal Setting Designation on property in Bedford located on the northwest corner of Harwood Road and Central Drive that will be placed on a future City of Euless Council agenda;
- > A wastewater report by Director of Public Works Ron Young;
- > An update regarding code compliance and new commercial developments by Director of Planning and Development Mike Collins;
- > An update by City Manager Gary McKamie on proposed commercial development in the 2600 Block of SH 121;
- > and the review of agenda items.

The city council convened into closed session at 6:30 p.m. for deliberation regarding contemplated litigation regarding land use and hotel/motel occupancy tax as authorized by Section 551.071 of the Texas Government Code and deliberation regarding real property related to leasing of city property as authorized by Section 551.072 of the Texas Government Code. They reconvened into open session at 6:55 p.m.

COUNCIL CONSIDERATION OF SCHEDULED ITEMS - COUNCIL CHAMBERS

The Euless City Council continued their meeting in the Council Chambers at 7:00 p.m. for the consideration of scheduled items.

STAFF MEMBERS PRESENT

City Manager Gary McKamie, Deputy City Manager Loretta Getchell, City Attorney Bob McFarland, City Secretary Susan Crim, Deputy City Secretary Becky Null, Director of Finance Vicki Rodriguez, Director of Public Works Ron Young, Director of Economic

Development Bill Ridgway, Director of Parks and Community Services Ray McDonald, Director of Planning and Development Mike Collins, Police Chief Mike Brown, Fire Chief Robert Isbell, Assistant Police Chief Bob Freeman, City Engineer Robert Barker, Assistant Director of Planning and Development Chris Barker, Fleet and Facility Administrator Kyle McAdams, Texas Star General Manager Glenda Hartsell-Shelton, Library Administrator Kate Lyon, Purchasing Manager Mike Lowry, Recreation Superintendent Michael Davenport, Police Sgt. David S. Chaney, Police Sgt. Ron Williamson, Senior Police Officer Michael Duff, Traffic Officer Ramon Fraticelli, Building Official Kurt Kasson, Inspection Services Supervisor Richard Ross, Inspector Rick Eldredge, Planning and Development Secretary Deborah Howard, Planning and Development Secretary Laura Gore, Information Services Administrator Dan McLain, Computer Services Specialist Brett Bennett, and Communications and Marketing Manager Betsy Deck.

VISITORS

Mark, Katherine and Elizabeth Howard, Billy, Jennifer, Dex and Adam Brewster, Larry, Marlene, and Chad Turner, David Hughes, Geri Sorg, Iris Elliott, Jerrie Keller, Barney Snitz, LuAnn Portugal, Alnawaz Devani, John Schleeter, Alex Horton, Jake Thomasson, Don Horton, Carroll Scott, Esther Johnson, Billy Owens, Michael Worley, Andrea and Lindsey Duff, Lt. Ashley Douglass and others as noted in the visitor register.

INVOCATION

Elder Michael Worley, Airport Freeway Church of Christ, gave the invocation.

PLEDGE OF ALLEGIANCE

Council Member Donna Mickan led the Pledge of Allegiance.

ITEM NO. 1 PRESENTATION OF EMPLOYEE OF THE MONTH FOR AUGUST

Director of Planning and Development Mike Collins, Assistant Director of Planning and Development Chris Barker, and Building Official Kurt Kasson introduced Planning & Development Secretary Deborah Howard, who was being recognized as Employee of the Month for August. Deborah introduced her husband, Mark, daughter and son-in-law, Billy and Jennifer Brewster, grandsons Dex and Adam Brewster, and daughters, Katherine and Elizabeth Howard.

Mayor Saleh presented Deborah with a plaque for being selected Employee of the Month for August.

ITEM NO. 2 PRESENTATION OF EMPLOYEE SERVICE PINS FOR AUGUST

Police Chief Mike Brown introduced Police Sgt. David S. Chaney and his friend, Southlake Police Lt. Ashley Douglass. Chief Brown also introduced Senior Police Officer Michael Duff, his wife, Andrea, and daughter, Lindsey. Mayor Saleh presented David with a 15-year service pin and Michael with a 25-year service pin.

Mayor Saleh noted that Firefighter II/Paramedics Jon Evans and Tommy Crist were unable to attend the meeting to receive their 20-year service pins.

ITEM NO. 3 PRESENTATION OF TEXAS FESTIVALS AND EVENTS ASSOCIATION AWARDS

Recreation Superintendent Michael Davenport reported that the following awards were recently received for Arbor Daze from the Texas Festivals and Events Association:

- Best Environmental Program - Arbor Daze Tree Giveaway
- Best Educational Program - Forestry Village
- Best Organizational Newsletter - Eules Today Magazine
- Best Sponsor - Chad's Chopp'n Shop
- Best Commemorative T-Shirt - Arbor Daze 20th Anniversary T-Shirt
- Best Children's Programming - Arbor Daze Kidz Zone

Michael introduced Chad Turner of Chad's Chopp'n Shop and his parents, Marlene and Larry Turner, and presented Chad with a plaque for Best Sponsor for all the work he did at Arbor Daze.

CONSENT AGENDA

Council Member Porterfield motioned to approve Consent Agenda Items numbered 4 through 10.

Council Member Stinneford seconded the motion.

Ayes: Mayor Saleh, Mayor Pro Tem Martin, Council Members Stinneford, Mickan, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 4 RENEWAL OF BID NO. 026-06

Approved the renewal of Bid No. 026-06 for jail food products for the second and final 12 months with Mom's Food Products, Inc., 4117 Garland Drive, Fort Worth, Texas, 76117, in the estimated expenditure of \$50,000. Prices for breakfast and lunch are to remain the same, with dinners increasing from \$1.75 to \$1.90 each.

ITEM NO. 5 REJECTED BID NO. 006-08

Rejected Bid No. 006-08 for the replacement of the roofing system on the two upper levels of the Midway Recreation Center due to the bids being in excess of the planned budgeted expenditure and due to the city's current review of expansion plans for the Midway Park area.

ITEM NO. 6 AWARDED BID NO. 009-08

Awarded Bid No. 009-08 for fertilizer and chemicals for Texas Star Golf Course to:

- (1) Estes, Inc., 1221 Champion Circle, Suite 107, Carrollton, Texas, 75006, for Herbicide items #1, 4, 8, and 9, and Other items #1, 2, 3, 4, 5, 6, and 8;
- (2) UAP, 6000 Riverside Drive, Irving, Texas, 75039, for Fungicide items #1, 2, and 3; Herbicide items #3, 6, and 7; Insecticide items #1 and 2; and Other item #7;
- (3) John Deere Landscapes, 1301 E. 9th Street, Suite 1300, Cleveland, Ohio, 44114, for Insecticide item #4; and
- (4) BWI Companies, Inc., 1418 Upfield Drive, Carrollton, Texas, 75006, for Herbicide items #5 and 10; and Insecticide item #3.

The total approximate expenditure for all chemicals and fertilizer is \$130,500.

ITEM NO. 7 APPROVAL OF RESOLUTION NO. 08-1285

Approved Resolution No. 08-1285 suspending the August 12, 2008, effective date of Oncor Electric Delivery Company requested rate change to permit the city time to study the request and to establish reasonable rates and to approve the city's cooperation with Oncor cities steering committee to hire legal and consulting services and to negotiate with the Company and direct any necessary litigation and appeals.

ITEM NO. 8 APPROVAL OF RESOLUTION NO. 08-1286

Approved Resolution No. 08-1286 implementing a burn ban and prohibiting outdoor burning through October 1, 2008.

ITEM NO. 9 APPROVAL OF CHAPTER 380 CONSTRUCTION AGREEMENT BY AND BETWEEN THE CITY OF EULESS AND THE EULESS DEVELOPMENT CORPORATION

Approved Chapter 380 Construction Agreement by and between the City of Euless and the Euless Development Corporation (EDC) for leasehold improvements pursuant to a Lease and Incentive Agreement with U.S. Concrete, Inc., and its subsidiary Redi Mix, L.L.C., providing for the City of Euless to oversee the construction of an approximate thirty-three thousand square foot building to be used as a regional headquarters and primary job training facility for Redi-Mix, L.L.C.

ITEM NO. 10 APPROVAL OF CITY COUNCIL MINUTES

Approved the minutes of the Regular City Council Meeting of June 24, 2008, and Special Called Meeting of June 26, 2008.

REGULAR AGENDA

ITEM NO. 11 AUTHORIZED THE CITY MANAGER TO EXECUTE AN ENGINEERING DESIGN CONTRACT

Mayor Pro Tem Martin motioned to authorize the city manager to execute an engineering design contract with Elliott and Hughes, Inc., for design of the FY 2008

sanitary sewer rehabilitation projects for a total contract amount not to exceed \$70,544. The project includes installation of new 8" lines along the west side of Fayette Drive from Harwood Road to Ector Drive and along the west side of South Mills Drive in the Oakwood Terrace West Addition.

Council Member Bynum seconded the motion.

Ayes: Mayor Saleh, Mayor Pro Tem Martin, Council Members Stinneford, Mickan, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 12 HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 08-09-SUP AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1821

Mayor Saleh opened the public hearing at 7:29 p.m. for Specific Use Permit No. 08-09-SUP on Lot 1, Block B, Heritage Towne Crossing Addition, for Mid-Cities Aquariums in TX-121 (The 121 Gateway District) zoning, located at 1301 West Glade Road, Suite # 188. Director of Planning and Development Mike Collins stated the applicant, Mid-Cities Aquariums, is requesting to occupy an existing 2,500 sq. ft. lease space. They will offer a full-line aquarium store including dry goods, aquariums, equipment, installation, consulting services, as well as freshwater and saltwater fish, plants, and invertebrates. The proposed hours of operation are Monday-Friday from 11:00 a.m. until 7:00 p.m., Saturday from 10:00 a.m. until 6:00 p.m., and Sunday from 12:00 Noon until 5:00 p.m.

Mayor Saleh asked for any proponents.

Dien Nguyen, one of the owners of Mid-Cities Aquariums, spoke in favor of the request.

There being no additional proponents or opponents, Mayor Saleh closed the public hearing at 7:33 p.m.

Council Member Stinneford motioned to approve the first and final reading of Ordinance No. 1821 for Specific Use Permit No. 08-09-SUP on Lot 1, Block B, Heritage Towne Crossing Addition, for Mid-Cities Aquariums in TX-121 (The 121 Gateway District) zoning, located at 1301 West Glade Road, Suite #188, subject to the following conditions: (1) Tied to the business owner, Mr. Vincent Quan Cu; and (2) Tied to the lease period of five years.

Council Member Mickan seconded the motion.

Ayes: Mayor Saleh, Mayor Pro Tem Martin, Council Members Stinneford, Mickan, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 13 APPROVAL OF SITE PLAN NO. 08-04-SP

Director of Planning and Development Mike Collins stated QuikTrip Corporation, represented by J. D. Dudley, is proposing to construct a 4,902 sq. ft. single-story QuikTrip gas station and convenience store with five pump island bays on a 1.5 acre site at the southeast corner of Westpark Way and SH 183 frontage road. Pedestrian access into the store will be provided from both the side of the building facing Westpark Drive and from the east side. The structure will be 100% masonry. Signage will include a 60 ft. tall pole sign along SH 183 frontage road near the eastern boundary of the property, a 16 ft. monument sign along the Westpark Way frontage road and façade-mounted logo signs. Ingress/egress to the site will be provided off of the eastbound SH 183 frontage road via two drive approaches, with the easternmost drive constructed as an exit only. Access will also be from a single new drive approach to be constructed off of Westpark Way approximately 275 ft. from the frontage road. The proposed site will encompass the existing and vacant former Jumpin Johns gas station and former Aladdin Car Wash, both of which had been served by four drive approaches off of SH 183 frontage road. The proposed landscaping exceeds all city requirements.

In response to whether the applicant will be seeking a Municipal Setting Designation, J. D. Dudley, QuikTrip Real Estate Project Manager of Texas, 14450 Trinity Boulevard, Fort Worth, Texas, 76155, stated they are not required to do so, but will do remediation involving removing the tanks and some of the soil. He stated tank removal will begin tomorrow and demolition of the site will then begin on the existing structures.

Council Member Stinneford stated he appreciates QuikTrip doing the extra work to do remediation.

Council Member Stinneford motioned to approve Site Plan No. 08-04-SP for a QuikTrip Corporation gas station and convenience store on portions of Lots 2AR and 2BR, Westpark Central Addition, located at 105 Westpark Way and 2205 West Airport Freeway.

Mayor Pro Tem Martin seconded the motion.

Ayes: Mayor Saleh, Mayor Pro Tem Martin, Council Members Stinneford, Mickan, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 14 APPROVAL OF SITE PLAN NO. 08-07-SP

Director of Planning and Development Mike Collins stated A.C.G. Texas, LP, represented by Heath Haseloff, is requesting to construct a 4,972 sq. ft. single-story IHOP restaurant on a 0.991 acre site in the Shops at Vineyard Village Addition. The structure will be 100% masonry. Signage will include placement on the single Vineyard

Village multi-tenant pole sign that is permitted to be located on Block A. An entry point to Block A will be constructed with enhanced pavement treatment off the SH 121 frontage road north of Centurion Drive. Internal mutual access easement drives provide internal circulation. The proposed landscaping will meet all city requirements.

Bill Stuber, CPH Engineers, 5728 LBJ Freeway, Suite 330, Dallas, Texas, 75240, was available for questions.

Council Member Mickan motioned to approve Site Plan No. 08-07-SP for an IHOP restaurant on portions of Tracts 3F, 4 and 4B, Bryant Harrington Survey, A-808, to be known as Lot 4B, Block A, Shops at Vineyard Village Addition, located at 2710 SH 121.

Council Member Stinneford seconded the motion.

Ayes: Mayor Saleh, Mayor Pro Tem Martin, Council Members Stinneford, Mickan, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 15 APPROVAL OF BOARD APPOINTMENTS

Council Member Stinneford motioned to approve the appointment of Ron Shields, and Council Members Glenn Porterfield and Perry Bynum to the Crime Control and Prevention District Board for two-year terms to expire September 1, 2010.

Mayor Pro Tem Martin seconded the motion.

Ayes: Mayor Saleh, Mayor Pro Tem Martin, Council Members Stinneford, Mickan, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 16 HELD PUBLIC HEARING AND APPROVED CRIME CONTROL & PREVENTION DISTRICT (CCPD) BUDGET FOR FY 2008-2009

Mayor Saleh opened the public hearing at 7:45 p.m. regarding the Crime Control and Prevention District (CCPD) Budget for FY 2008-09.

Director of Finance Vicki Rodriguez stated the Crime Control and Prevention District Board met on June 12 for the purpose of holding a public hearing and approving the FY 2008-09 budget. As required by law, this budget is presented for the council's approval tonight. The baseline budget includes total revenue of \$1,807,500, which is derived from interest earnings and the quarter cent sales tax that was approved by the citizens of Euless to assist in crime control and prevention.

Baseline expenditures total \$1,805,273 and consist primarily of salaries and benefits for 18 officers and an assistant police chief, \$69,596 for various crime prevention supplies, training, and minor apparatus, as well as \$75,733 for the radio system.

Capital items recommended for FY 2008-09 include \$60,000 for continuation of the part-time PSO program and \$7,000 for a new intoxilizer.

The board recommended approval of all of these items. The budget presented would provide an estimated ending fund balance of \$339,060, which exceeds the board's recommended reserve level of 60 days of fund balance.

There being no proponents or opponents, Mayor Saleh closed the public hearing at 7:48 p.m.

Mayor Pro Tem Martin motioned to approve the Crime Control and Prevention District (CCPD) Budget for FY 2008-09.

Council Member Stinneford seconded the motion.

Ayes: Mayor Saleh, Mayor Pro Tem Martin, Council Members Stinneford, Mickan, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 17 SET PUBLIC HEARING FOR AUGUST 26, 2008, FOR PROPOSED CITY OF EULESS BUDGET FOR FY 2008-2009

Council Member Bynum motioned to set a public hearing for August 26, 2008, for the proposed City of Euleless Budget for FY 2008-09.

Council Member Mickan seconded the motion.

Ayes: Mayor Saleh, Mayor Pro Tem Martin, Council Members Stinneford, Mickan, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 18 PLACE A PROPOSAL TO ADOPT CITY OF EULESS AD VALOREM TAX RATE ON THE SEPTEMBER 9, 2008, AGENDA

Mayor Pro Tem Martin motioned to schedule the proposal to adopt the City of Euleless Ad Valorem Tax Rate of \$0.47 per \$100 valuation on the September 9, 2008, agenda.

Council Member Bynum seconded the motion.

Ayes: Mayor Saleh, Mayor Pro Tem Martin, Council Members Stinneford, Mickan, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 19 SCHEDULED PUBLIC HEARINGS ON PROPOSED CITY OF EULESS AD VALOREM TAX RATE FOR AUGUST 21, 2008, AND AUGUST 26, 2008

Council Member Mickan motioned to schedule public hearings on the proposed City of Euleless Ad Valorem Tax Rate of \$0.47 per \$100 valuation for August 21, 2008, and August 26, 2008, at 7:00 p.m. in the Council Chambers in Euleless City Hall.

Council Member Stinneford seconded the motion.

Ayes: Mayor Saleh, Mayor Pro Tem Martin, Council Members Stinneford, Mickan, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 20 PUBLIC COMMENTS

There were no public comments.

ITEM NO. 21 REPORTS

STAFF REPORT

Texas Star General Manager Glenda Hartsell-Shelton gave an update of the remodel of Texas Star Conference Centre and the activities and accomplishments that have occurred at the Texas Star Golf Course, Conference Centre and Raven's Grille over the past year.

CITY MANAGER

City Manager Gary McKamie thanked Texas Star General Manager Glenda Hartsell-Shelton for her report and the work she and her staff does. He noted that keeping the greens healthy, especially during the summer, is critical, and they have done a great job keeping business up during the construction. He stated the conference centre area will be going through a transition in September and October as everything moves to the new addition in order to reconstruct the current conference rooms and restaurant area. He stated his appreciation for Glenda, Golf Course Superintendent Scott Boven, and the entire staff.

CITY ATTORNEY

City Attorney Bob McFarland noted his golf friends continue to give compliments on Texas Star, stating it is a premier golf course.

CITY COUNCIL

Council Member Tim Stinneford stated it is great to be able to thank the employees. He congratulated Planning and Development Secretary Deborah Howard on being selected employee of the month. He congratulated Police Sgt. David Chaney and Senior Police Officer Michael Duff on receiving their service pins and for putting their lives on the line. He congratulated the Parks and Community Services Department for the awards they received. He stated he plays a lot of golf, and there is no better public course than Texas Star, and he said all the employees are exemplary, which reflects on the great job Glenda Hartsell-Shelton does. He noted that the Euless Citizens Police Academy Alumni Association volunteered more hours last year than any other volunteer organization in the United States, except for the Veterans Administration. He announced they will be holding their annual fundraiser, a silent auction and barbeque, on Saturday, September 13, 2008, at the Ruth Millican Center.

Mayor Pro Tem Martin noted that Money Magazine rated Euless 34 out of 100 of the top best cities, but stated she feels Euless should be number one. She congratulated Deborah Howard, stating she is a treasure. She congratulated David Chaney and Michael Duff, and said they are shining examples of leadership in the Police Department. She congratulated Ray McDonald and Michael Davenport for making Arbor Daze a top event, stating she is proud of all they do. She stated she eats at Raven's Grille more often than she plays golf, and she thanked Glenda Hartsell-Shelton for a great report. She stated Gary McKamie, Loretta Getchell, Vicki Rodriguez, and all the directors did a great job on the budget. She thanked everyone, stating she is so proud of Euless.

Council Member Mickan congratulated Deborah Howard, David Chaney, and Michael Duff, as well as Firefighters Jon Evans and Tommy Crist who were unable to attend the meeting to receive their service pins. She congratulated the Parks and Community Services Department on their awards and the Euless Citizens Police Academy Alumni Association for all the hours they volunteered. She stated she loves the gorgeous flowers at city hall and thanked the parks department.

Council Member Porterfield echoed the congratulations for Deborah Howard, David Chaney and Michael Duff. He commended the Parks and Community Services Department on the Arbor Daze awards, stating he was so pleased that the Turner family was recognized. He stated they are a great family and operate a unique business. He congratulated Glenda Hartsell-Shelton, and stated Texas Star has a special place in the hearts of a lot of people. He stated he is constantly amazed at the quality of service at Texas Star and is proud it is a part of Euless. He stated he attended the Masterworks jazz music presentation at the library last night and that it was outstanding. He thanked the city council and citizens for allowing him to serve on the DFW Airport Board last year representing the four host cities. He noted that the airlines are suffering and that it is impacting a lot of people. He stated the DFW Airport Board just approved its budget

and they were able to keep expenditures level with last year and were even able to reduce the landing fees. He noted the airport is in good hands and is extremely well managed. He stated it is fortunate that a lot of Eules is within the airport.

Council Member Bynum stated he is proud of Ray McDonald and the Parks and Community Services Department. He announced there will be a fishing event this Saturday at Wilshire Park. He apologized for missing the jazz event at the library. He noted that Vicki Rodriguez and Loretta Getchell and their staff worked several nights until midnight or later on the budget and they did a great job. He noted that there were several board and commission members in the audience and he thanked them for their service to the City.

Mayor Saleh stated that during the month of July, the Parks and Community Services Department was honored with the Arbor Daze awards, Money Magazine picked Eules 34th out of 100 top best cities, and the new police cruiser design created by Senior Corporal Scott Peterson won first place. She announced that in today's sports section of the Star Telegram, the Eules Trinity Trojans were named No. One in the National Prep Poll, noting that no Texas team, including the Carroll Dragons, had ever opened at No. One. She stated that although there were not a lot of people in attendance, the jazz program at the library was great. She mentioned that Senator Kim Brimer called and told her what a great tournament he had at Texas Star and that he planned to be back next year. She thanked staff and the city council for all they do.

ITEM NO. 22 ADJOURNMENT

Mayor Saleh adjourned the meeting at 8:15 p.m.

APPROVED:

Mary Lib Saleh
Mayor

ATTEST:

Susan Crim, TRMC
City Secretary