

**MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
TUESDAY, JANUARY 12, 2010**

A regular meeting of the Euless City Council was called to order by Mayor Mary Lib Saleh at 4:00 p.m. on Tuesday, January 12, 2010, in the Precouncil Conference Room of City Hall, 201 North Ector Drive. Those present included: Mayor Mary Lib Saleh, Mayor Pro Tem Tim Stinneford, Council Members Leon Hogg, Linda Martin, Donna Mickan, Glenn Porterfield, and Perry Bynum.

During the Precouncil meeting:

- Mayor Mary Lib Saleh recognized Parks and Community Services Director Ray McDonald, his staff, and the many community volunteers for their efforts associated with the holiday activities, as well as Public Works Director Ron Young and his staff for their efforts associated with maintaining the streets during the recent cold and wet weather.
- Council Member Perry Bynum stated that a Community Celebration Pep Rally was held on Wednesday, January 6, 2010, in recognition of the Trinity High School Football teams recent Division I State Championship, and the celebration was well attended by the Council, students and their families.
- City Manager Gary McKamie advised the City Council of a sewer backup on Live Oak Drive, and advised that one residence was affected as a result of the backup. City Manager McKamie introduced John Terrell and John Brookview of the DFW Airport Commercial Development Department. John Terrell also serves as the mayor of Southlake. Mr. Terrell and Mr. Brookview addressed the City Council regarding a land use plan coordination process, including the history of the 2001 and 2007 plans, terms and priorities of the Land Leasing Policy, future land uses, economic impact studies, and cooperative planning, including the coordination process, task force subcommittee support, and collaboration and regional alliances.
- City Manager McKamie reviewed the Regular Agenda items.
 - Item No. 15, Nepali Spiritual Center – Mark Riddle, Engineer for the project, was present to address questions regarding the request.
 - Item No. 17, Senior Center construction contract – Fred Mata, Project Manager, Ratcliff Constructors, was present to address questions regarding the contract.
 - Item No. 18, Midway Recreation Center addition and renovations construction contract – Fred Mata, Project Manager, Ratcliff Constructors, was present to address questions regarding the contract.
- Planning and Development Director Chris Barker addressed the City Council regarding the 36th year Community Development Block Grant program, and stated that proposed projects must be within an eligible block grant area. He stated that the identified project is the replacement of a wastewater line servicing the residential

areas along Pauline Street, Bayless Drive, and Jones Street, and a required public hearing will be held in February 2010.

- City Manager McKamie announced that Town Hall meetings will be held on Thursday, January 14 and Thursday, January 28, 2010, 7:00 p.m., Euless City Hall.
- City Manager McKamie presented a proposed art project to recognize youth achievements in the community. Mr. McKamie explained that the recreation center is the birthplace of youth sports in Euless and that recognition would be given to any state championship, athletic and academic, earned by the students of Trinity High School and Colleyville Heritage High School.
- Finance Director Vicki Rodriguez presented the January sales tax figures for the City. She advised that sales tax was down by seven (7) percent and car rental tax was down by one (1) percent. She stated that numbers are an improvement when compared to December 2008; however, she cautioned, that staff will need to review and evaluate the detail of the numbers to understand the decrease.

CLOSED SESSION

The City Council convened into closed session at 5:56 p.m. for deliberation regarding litigation related to Merced vs. City of Euless as authorized by Section 551.071 of the Texas Government Code; deliberation regarding real property adjacent to Texas Star Golf Course, J. W. Haynes Survey as authorized by Section 551.072 of the Texas Government Code; deliberation regarding personnel matters related to the Planning and Zoning Commission as authorized by Section 551.074 of the Texas Government Code; and deliberation regarding economic development negotiations related to Glade Parks as authorized by Section 551.087 of the Texas Government Code. The City Council reconvened into open session at 6:53 p.m.

COUNCIL CONSIDERATION OF SCHEDULED ITEMS – COUNCIL CHAMBERS

The Euless City Council continued their meeting in the Council Chambers at 7:04 p.m. for 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 Kim Sutter
Director of Planning and Development Chris Barker
Police Chief Mike Brown
Director of Economic Development and Administrative Services Mike Collins
Fire Chief Robert Isbell
Assistant Police Chief Bob Freeman
Assistant Police Chief Harland Westmoreland
Finance Director Vicki Rodriguez
Director of Public Works Ron Young

Communications/Marketing Manager Betsy Deck
 Library Administrator Kate Lyon
 Fleet and Facility Administrator Kyle McAdams
 Information Services Administrator Dan McLain
 Human Resources/Risk Administrator Carolyn Marshall
 Public Works Manager J.T. Ackerman
 City Engineer Robert Barker
 Computer Support Specialist Brett Bennett
 Public Service Officer Bridgette Cannon
 Senior Planner Stephen Cook
 Planning and Development Inspector Rick Eldredge
 Police Lieutenant Steve Eskew
 Senior Librarian Rachel Feltenberger
 Senior Police Corporal Joe Hoerth
 Planning and Development Administrative Secretary Holly Houston
 Planning and Development Secretary Deborah Howard
 Building Official Kurt Kasson
 Planning and Development Inspector Jeff Lee
 Planning and Development Senior Inspector Jim Moy
 Police Lieutenant Danny Neill
 Planning and Development Inspection Services Supervisor Richard Ross

VISITORS

Mohan Adhikari	Collin Moore	Jake Thomasson
David Brown	Lydia Moore	Steve and Loretta Doty
Iris Elliott	Billy Owens	Helen Voss
Beth Kasson	Susan Rogers	Bill and Betty Wood
Meagan Kasson	Barney Snitz	
Jerrie Keller	Faye Stinneford	

and others as noted in the visitor register.

INVOCATION

Fleet and Facility Administrator Kyle McAdams gave the invocation.

PLEDGE OF ALLEGIANCE

Council Member Perry Bynum led the Pledge of Allegiance.

ITEM NO. 1. PRESENTATION OF EMPLOYEE OF THE YEAR

Police Chief Mike Brown introduced Joe Hoerth, Senior Police Corporal, Police Department. He was accompanied by Assistant Police Chief Bob Freeman, Assistant Police Chief Harland Westmoreland, Police Lieutenant Steve Eskew, Police Lieutenant Danny Neill, as well as Citizen’s Police Academy Alumni Jerrie Keller, Faye Stinneford, Barney Snitz, Steve Doty, and Helen Voss.

Mayor Saleh presented Joe with a plaque and certificate commemorating his selection as Employee of the Year.

ITEM NO. 2. PRESENTATION OF EMPLOYEE SERVICE PINS

Chief Mike Brown introduced Bridgette Cannon, Public Service Officer, Police Department. Bridgette was accompanied by Assistant Police Chief Bob Freeman, Assistant Police Chief Harland Westmoreland, Police Lieutenant Steve Eskew, Police Lieutenant Danny Neill, and Senior Police Corporal Joe Hoerth.

Mayor Saleh presented Bridgette with a 5-year pin, commemorating her years of service with the city.

Planning and Development Director Chris Barker introduced Kurt Kasson, Building Official, Planning and Development. Kurt was accompanied by his wife, Beth Kasson, and their children, Meagan Kasson, Lydia Moore, and Collin Moore, his Mother-in-law and Father-in-law Bill and Betty Wood, Inspection Services Supervisor Richard Ross, Senior Inspector Jim Moy, Inspector Rick Eldredge, Secretary Deborah Howard, City Engineer Robert Barker, Inspector Jeff Lee, Senior Planner Stephen Cook, Administrative Secretary Holly Houston, and Director of Economic Development and Administrative Services Mike Collins.

Mayor Saleh presented Kurt with a 15-year pin, commemorating his years of service with the city.

ITEM NO. 3. PRESENTATION OF QUARTERLY WASTEWATER REPORT

No report was given.

CONSENT AGENDA (items 4 through 14)

Mayor Saleh announced that item #4 would be pulled from the consent agenda and voted on separately.

Council Member Mickan motioned to approve Consent Agenda items numbered 5 through 14.

Mayor Pro Tem Stinneford seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 5. AUTHORIZED CITY MANAGER TO EXECUTE INTERLOCAL AGREEMENT BETWEEN TARRANT COUNTY AND THE CITY OF EULESS

Authorized the City Manager to execute an interlocal agreement between Tarrant County and the City of Euless for asphalt overlay improvements to Marlene Drive and Wilshire Drive.

Funding for these projects was approved in the 2010 Capital Improvement Program budget. The estimated expenditure is \$288,000.

ITEM NO. 6. AUTHORIZED MAYOR TO EXECUTE AGREEMENT WITH ETC TEXAS PIPELINE, LTD

Authorized the Mayor to execute an agreement with ETC Texas Pipeline, LTD, (Energy Transfer) for an Easement on a city owned parcel known as the William R. Loving Survey, A-944.

The City of Euless owns a 31.256 acre tract of land located near Trinity Boulevard and Raider Drive out of the William R. Loving Survey, A-944. ETC Texas Pipeline, LTD (Energy Transfer) will enter into an easement agreement with the City of Euless that would create a variable width temporary workspace easement and a 20-foot wide permanent easement across a portion of this tract of land south of Trinity Boulevard. Energy Transfer plans to install a gas distribution pipeline within this easement. The City of Euless would receive a one-time payment of \$18,836.00.

ITEM NO. 7. AWARDED BID NO. 003-10

Approved award of Bid No. 003-10 to Ark Contracting Services for the bank stabilization project along Little Bear Creek at Bear Creek Parkway in the amount of \$363,031.00, and authorized the City Manager to enter into a contract with Ark Contracting Services.

ITEM NO. 8. APPROVED RESOLUTION NO. 10-1327

Approved Resolution No. 10-1327, granting approval to the Tarrant County Housing Finance Corporation for the use of the proceeds of its Series 2009 Single Family Mortgage Revenue Bonds to finance home mortgages for single-family homes located within the city.

ITEM NO. 9. APPROVED RESOLUTION NO. 10-1328

Approved Resolution No. 10-1328, granting approval to the Tarrant County Housing Finance Corporation for the use of the proceeds of its Series 2010 Single Family Mortgage Revenue Bonds to finance home mortgages for single-family homes located within the city.

ITEM NO. 10. APPROVED RESOLUTION NO. 10-1329

Approved Resolution No. 10-1329, granting approval to the Tarrant County Housing Finance Corporation for the use of the proceeds of its Series 2011 Single Family Mortgage Revenue Bonds to finance home mortgages for single-family homes located within the city.

ITEM NO. 11. APPROVED RESOLUTION NO. 10-1330

Approved Resolution No. 10-1330, supporting an application to establish a Municipal Setting Designation for a tract of land located in the City of Arlington at 2101 N. Collins Street (FM 157).

ITEM NO. 12. APPROVED RESOLUTION NO. 10-1331

Approved Resolution No. 10-1331, renewing adoption of a tax abatement policy; establishing guidelines and criteria for tax abatement agreements and electing to become eligible to participate in tax abatements.

ITEM NO. 13. APPROVED RESOLUTION NO. 10-1332

Approved Resolution No. 10-1332, supporting the submission of a SAFER (Staffing for Adequate Fire and Emergency Response) Grant Application by the Euless Fire Department.

ITEM NO. 14. APPROVED CITY COUNCIL MINUTES

Approved the minutes of the regular City Council Meeting of December 8, 2009.

REGULAR AGENDA

ITEM NO. 4. RATIFIED AND APPROVED CRIME CONTROL AND PREVENTION DISTRICT (CCPD) ACTION TAKEN ON JANUARY 12, 2010

City Manager McKamie addressed the Council regarding the item, and advised that the imposition of the one quarter of one percent (1/4) sales tax on residential use of gas and electricity will generate approximately \$90,000 in annual revenue.

Council Member Porterfield motioned to ratify and approve the Crime Control and Prevention District Board (CCPD) action taken on January 12, 2010, imposing a Crime Control and Prevention District sales tax on residential use of gas and electricity within the City.

Council Member Martin seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 15. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 09-06-SUP AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1867

Mayor Saleh opened the public hearing at 7:24 p.m., and asked to hear from any proponents of the case.

Planning and Development Director Chris Barker presented the request to the City Council, and advised that the applicant is proposing the construction of a multipurpose community center, a Pashupati Nath Temple, A Buddha Nath Temple and required supportive facilities to be located at 2219 Eules Boulevard. He added that the Planning and Zoning Commission recommended denial of the request.

Dr. Murali Adhikari, representing the applicant, addressed the City Council regarding the project.

The following individuals spoke in support of the item:

Bhuvaneshower Pradhan		
Dinesh Sharma	2701 N. Grapevine Mills Boulevard, #611	Grapevine
Jim Isom	Director of Operations for the Right Step	
Maseh Hussaini	512 Angela Lane	Eules
Binita J. Shrestha	14329 Oakridge Circle	Fort Worth

The following individuals registered in support of the item:

Bhuwan Acharya	312 Tyler Court, # 102	Weatherford
Amod Shrestha	3813 William Dehaes Drive, #804	Irving
Naresh R. Pandey	602 Magnolia Lane	Glenn Heights
Makar Bajracharya	3713 Country Club Drive	Irving
Mahendra Poudyal	8811 Rodeo Drive, Apt # 217	Irving
Puresa Nath Bastora	1521 Weyland Drive, #402	N. Richland Hills
Krishna P. Poudyal	12929 Sweet Bay	Fort Worth
Samir Gyawali	601 Carol Way	Eules
Niraj Shrestha	1401 Hwy 360, #1504	Eules
Rabin Sharma	417 Autumn Park	Fort Worth
Anup Shrestha	201 Revolution Lane	Eules
Shiua Adhikari	1212 Kynette Drive	Eules
Baikuntha B. Thala	315 Branch Bend	Eules
Mohan Adhikari	303 Moonlight Drive	Eules
Bhubanesh Kumar Pradhan	5503 Manassas Drive	Arlington
Ganesh Babu Lohani	405 Lois Lane	Eules
Shubhadrika Dharal Nepal	904 Palomino Drive	Eules
Dilaram Khamaal	303 Brasher Lane	Eules
Kumod Rimal	300 Republic Lane	Eules
Basu Shrestha	409 Lois Lane	Eules
Uttam Lamichhaul	3624 Portland Street	Irving
Mana Kumari Karki	402 Calvary Drive	Eules
Badri Karki	402 Calvary Drive	Eules
Ram Adhikari	402 Calvary Drive	Eules
Kedar Kumar KC	302 Brasher Lane	Eules

There being no opponents wishing to speak, Mayor Saleh closed the public hearing at 8:10 p.m.

Council Member Hogg motioned to approve Ordinance No. 1867, for a Specific Use Permit on Park Center Addition, Tract 1 for Public Assembly and Place of Worship in TX-10 (Texas Highway 10 Multi-Use District) zoning in the 2200 block of West Euless Boulevard.

Mayor Pro Tem Stinneford seconded the motion.

Discussion ensued regarding the parking ratio, staffing during hours of operations, and clarification regarding the responsible party contact in relation to the Specific Use Permit.

Mayor Pro Tem Stinneford explained that, declining a recommendation of the Planning and Zoning Commission is not a common occurrence; however, given the values expressed by the Nepali community, he does not see a reason not to grant the request.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 16. APPROVED SITE PLAN NO. 09-05-SP

Planning and Development Director Chris Barker presented the request to the City Council, and advised that the City of Euless (the applicant) is requesting approval of a 22,240 square foot senior center to be located at 300 Midway Drive.

Council Member Bynum motioned to approve Site Plan No. 09-05-SP, for the proposed senior center to be located at Midway City Park Addition, Block A, Lot 1, 300 Midway Drive.

Council Member Martin seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 17. APPROVED AWARD OF RFP NO. 004-10

Council Member Mickan motioned to approve RFP No. 004-10 for the construction of a senior center to Ratcliff Constructors, L.P., in the amount of \$2,936,750, and authorize the City Manager to execute the construction contract to include the alternate, which is demolition of ball fields 1 and 2 with the City retaining the ball field lights.

Mayor Pro Tem Stinneford seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 18. APPROVED AWARD OF RFP NO. 005-10

Council Member Hogg motioned to approve RFP No. 005-10 for the construction of additions and renovations to the Midway Recreation Center to Ratcliff Constructors, L.P., in the amount of \$1,658,252, and authorize the City Manager to execute the construction contract to include alternate number 1, which is a generator to provide stand by emergency power to the building and alternate number 2, which is replacement of the existing parking lot lighting.

Mayor Pro Tem Stinneford seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 19. APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1865

Council Member Bynum motioned to approve Ordinance No. 1865, amending Chapter 78 "Taxation" by repealing Article VII "Guidelines for Tax Abatement in Reinvestment Zones" of the Code of Ordinances of the City of Euless, Texas.

Council Member Mickan seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 20. APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1866

Mayor Pro Tem Stinneford motioned to approve Ordinance No. 1866, amending Article I "In General" of Chapter 66 "Solid Waste" of the Code of Ordinances of the City of Euless, Texas to establish a time of day placement of collectables and removal of container(s) from the curbside by residential customers.

Council Member Mickan seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 21. PUBLIC COMMENTS

There were no public comments.

ITEM NO. 22. REPORTS

Library Administrator Kate Lyon introduced Rachel Feltenburger, Supervisor of Youth Services, who addressed the Council regarding the Euless Public Library Youth Services program.

CITY ATTORNEY

No report given.

CITY MANAGER

No report given.

CITY COUNCIL

Mayor Saleh reminded those in attendance of the upcoming Town Hall meetings to be held at 7:00 p.m. on Thursday, January 14, and Thursday, January 28, 2010.

ITEM NO. 23. ADJOURN

Mayor Saleh adjourned the meeting at 8:38 p.m.

APPROVED:

ATTEST:

Mary Lib Saleh
Mayor

Susan Crim, TRMC
City Secretary