

**MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
TUESDAY, SEPTEMBER 14, 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, September 14, 2010, 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 Leon Hogg, Donna Mickan, and Glenn Porterfield. Council Member Tim Stinneford arrived at 4:10 p.m. and Council Member Perry Bynum arrived at 5:05 p.m.

During the Precouncil meeting:

- Mayor Mary Lib Saleh stated that she attended the groundbreaking ceremony for the St. John the Baptist Greek Orthodox Church and reported that the church leadership commented that the City staff has been joyful to work with during the zoning and planning process.
- Council Member Leon Hogg reported that he had received a glowing report from a friend who recently held an event at the Texas Star Conference Centre.
- Council Member Donna Mickan announced that the Historical Preservation Committee will dedicate the City's sixth historical marker at a dedication ceremony on Sunday, October 24, 2010, 2:30 p.m. The marker recognizes the Euless School (1914-1955). Additionally, and on behalf of the Historical Preservation Committee, she expressed appreciation to the Parks and Community Services department for their willingness to assist the committee with a multitude of duties.
- Mary Jean Moloney, Community Relations, Atmos Energy, addressed the City Council regarding Atmos' third Rate Review Mechanism (RRM) filing, and addressed questions from the City Council related to replacement of steel service lines in the City. Additionally, she introduced Jesse Oquendo, Atmos Operations Supervisor.
- Cathy Hernandez, President, Arts Council Northeast, updated the City Council regarding Arts Council projects in Euless.
- City Manager McKamie, Texas Star General Manager Glenda Hartsell-Shelton, Director of Parks and Community Services Ray McDonald, Director of Public Works and Engineering Ron Young, Building Official Kurt Kasson, and Assistant Police Chief Bob Freeman provided updates to the City Council related to the flooding that occurred in the city on September 8 as a result of tropical storm Hermine. Mr. McKamie advised that the Emergency Operations Center (EOC) was partially activated, and reported that the communities along Little Bear Creek experienced flooding. In other areas of the City, Public Works Director Young reported that recent drainage projects held up well during the storm on September 8.
- City Manager McKamie discussed signage placement at the Midway Recreation facility, and also the name of the facility.

- City Manager McKamie advised that the JPS Health Network has identified the Northeast Tarrant County area as a potential site for a healthcare clinic, and advised that the City will need to identify individuals to serve on the Healthcare Facility Task Force.
- Marketing and Communications Manager Betsy Deck reviewed the changes to the format and distribution of the *Eules Today* publication. She reported that the publication will accompany resident's monthly water bills.
- Marketing and Communications Manager Deck advised the City Council of the upcoming Community Powered Revitalization (formerly Eules Revitalization) Blitz to be conducted October 22 and 23, 2010.
- Chief of Police Mike Brown Police advised the City Council of a proposed courts warrant service program.
- City Manager McKamie and Planning and Development Director Chris Barker updated the City Council on a proposed development, Texas Star Cove Addition, located in the City of Fort Worth and to the North of the Texas Star Golf Course.
- City Manager McKamie reviewed the regular agenda items.

CLOSED SESSION

The City Council convened into closed session at 6:33 p.m. for deliberation regarding real property adjacent to Texas Star Golf Course, J.W. Haynes Survey, as authorized by Sections 551.072 of the Texas Government Code. The City Council reconvened into open session at 6:43 p.m.

COUNCIL CONSIDERATION OF SCHEDULED ITEMS – COUNCIL CHAMBERS

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

STAFF MEMBERS PRESENT

City Manager Gary McKamie
Deputy City Manager Loretta Getchell
Interim City Attorney William M. McKamie
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
Director of Parks and Community Services Ray McDonald
Director of Public Works and Engineering Ron Young
Director of Finance Vicki Rodriguez
Fire Chief Robert Isbell
Communications/Marketing Manager Betsy Deck
Texas Star General Manager Glenda Hartsell-Shelton

Fleet and Facility Administrator Kyle McAdams
 Information Services Administrator Dan McLain
 Library Administrator Kate Lyon
 Human Resources/Risk Administrator Carolyn Marshall
 Senior Planner Stephen Cook
 Computer Support Specialist Brett Bennett
 Parks Building Attendant Don Horton

VISITORS

Michael Cornell
 Darl Easton
 Richard Ellis
 Viola Flores
 Cheryl Newman

Lynda Osborn
 Carroll "Scotty" Scott
 Jake Thomasson
 Eric Wright

and others as noted in the visitor register.

INVOCATION

Director of Public Works and Engineering Ron Young gave the invocation.

PLEDGE OF ALLEGIANCE

Council Member Donna Mickan led the Pledge of Allegiance.

CONSENT AGENDA (Items 1 through 5)

Council Member Stinneford motioned to approve Consent Agenda items number 1 through 5.

Mayor Pro Tem Martin seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 1. APPROVED EXTENSION OF INTERLOCAL AGREEMENT

Approved extension of Interlocal Agreement for participation in Fort Worth's Environmental Collection Center, Household Hazardous Waste Program from October 1, 2010, to September 30, 2011, with the rate remaining unchanged at \$47 per participating household.

The estimated annual expenditure is \$30,000.

ITEM NO. 2. APPROVED RESOLUTION NO. 10-1347

Approved Resolution No. 10-1347, supporting the submission of a SAFER (Staffing for Adequate Fire and Emergency Response) Grant Application by the Euless Fire Department.

ITEM NO. 3. APPROVED RESOLUTION NO. 10-1346

Approved Resolution No. 10-1346, declaring a public necessity for the acquisition of parcels of real estate required for the reconstruction improvements to Ash Lane from Aransas Drive to North Main Street.

ITEM NO. 4. APPROVED RESOLUTION NO. 10-1348

Approved Resolution No. 10-1348, declaring a public necessity for the acquisition of parcels of real estate required for the reconstruction improvements to Baze Road from Priest Lane to Glade Road.

ITEM NO. 5. APPROVED CITY COUNCIL MINUTES

Approved the minutes of the regular City Council meeting of August 31, 2010.

REGULAR AGENDA

ITEM NO. 6. APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1886

Council Member Mickan motioned to approve the first and final reading of Ordinance No. 1886 for a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the Company's Third Rate Review Mechanism (RRM) filing in all cities exercising original jurisdiction.

Council Member Hogg seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 7. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 10-06-SUP AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1888

Mayor Saleh opened the public hearing at 7:07 p.m.

Planning and Development Director Barker presented the case to the City Council. He explained that the applicant, MDSN Motors, represented by the company's owner Mr. Michael Cornell, is requesting approval of a Specific Use Permit for an appointment based motor vehicle dealership to be located at 1401 Royal Parkway, Suite D. The Unified Development Code requires a motor vehicle dealership located in I-2 (Heavy Industrial)

zoning district to have a Specific Use Permit, and that the minimum area devoted to the sale of new or used vehicles is not less than five (5) acres.

The applicant is proposing to occupy approximately 2,500 square feet, of which 500 square feet would be used as an office and the remainder as storage for the vehicles. MSDN Motors intends to sell the vehicles online and only utilize the interior leased space as storage for the vehicle inventory. No vehicles would be stored outside of the leased space. No major mechanical work would be performed on the premises, and the owner/operator intends to operate the business between the hours of 9:30 a.m. to 2:30 p.m.

The Development Review Committee (DRC) has reviewed and certified the application, and staff is recommending approval of the Specific Use Permit. The Planning and Zoning Commission recommended approval of the Specific Use Permit with the following conditions:

- 1) Tied to the owner, Mr. Michael Cornell;
- 2) Tied to the business name: MDSN Motors, LLC;
- 3) Permitted for the period of one year to be renewed through the Specific Use Permit process;
- 4) No outdoor advertising display other than a permitted sign indicating the name of the business;
- 5) No outdoor storage or display of vehicles;
- 6) No on-site major mechanical or auto body work to be performed on vehicles; and,
- 7) No more than five gallons of fuel stored per vehicle (including fuel in the vehicle gas tank) and no more than thirty (30) cumulated gallons stored within this facility.

Michael Cornell, the applicant, was present for the public hearing.

There being no proponents or opponents, Mayor Saleh closed the public hearing at 7:10 p.m.

Council Member Porterfield motioned to approve the first and final reading of Ordinance No. 1888 for a request of a Specific Use Permit on International/Regional Industrial Complex, Block A, Lot 2, located at 1401 Royal Parkway for a Motor Vehicle Dealer (Internet Auto Sales) in I-2 (Heavy Industrial District) zoning with the following conditions:

- 1) Tied to the owner, Mr. Michael Cornell;
- 2) Tied to the business name: MDSN Motors, LLC.;
- 3) Permitted for the period of one year to be renewed through the Specific Use Permit process;
- 4) No outdoor advertising display other than a permitted sign indicating the name of the business;
- 5) No outdoor storage or display of vehicles;
- 6) No on-site major mechanical or auto body work to be performed on vehicles; and,
- 7) No more than five gallons of fuel stored per vehicle (including fuel in the vehicle gas tank) and no more than thirty (30) cumulated gallons stored within this facility.

Mayor Pro Tem Martin seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 8. APPROVED REQUEST FOR A TEMPORARY USE PERMIT NO. 10-11-CC

Council Member Stinneford motioned to approve the request for a Temporary Use Permit No. 10-11-CC for a marketing event to be located at Pollo Campero Restaurant on Shops at Vineyard Village Addition, Block A, Lot 8, 2830 State Highway 121 on September 18, 2010, from 10:30 a.m. to 8:00 p.m. and September 19, 2010, from 10:30 a.m. to 8:00 p.m.

Council Member Bynum seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 9. APPROVED REQUEST FOR A TEMPORARY USE PERMIT NO. 10-12-CC

Council Member Hogg motioned to approve the request for a Temporary Use Permit No. 10-12-CC for a marketing fundraiser to be located at AMF Showplace Lanes on Westpark II Addition, Block B, Lot 5, 1901 West Airport Freeway on September 25, 2010, from 12:00 noon to 5:00 p.m.

Council Member Bynum seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 10. PUBLIC COMMENTS

Interim City Attorney William McKamie briefly explained the limitations of the City Council to respond to questions or comments related to topics that are not specifically listed on the agenda.

Eric Wright, 208 Shenandoah, addressed the City Council regarding the recent flooding of the Trailwood Subdivision. He asked that the City evaluate possible causes that may have

facilitated the quick rising of the water and subsequent flooding of homes as to prevent a reoccurrence.

Interim City Attorney McKamie advised that the item, as listed on the precouncil agenda, could be reopened for discussion with an affirmative vote of the City Council.

Council Member Stinneford motioned to reopen the Flood Update item, as listed on the precouncil agenda, for further discussion.

Council Member Mickan seconded the motion.

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

Nays: Hogg

Mayor Saleh declared the motion carried.

City Manager McKamie presented pictures of the flooding, and reviewed the actions taken by the City as a result of the heavy rain and subsequent flooding.

City Manager McKamie advised that a meeting with the residents will be held on Thursday, September 16, 2010, 6:30 p.m. at Eules City Hall.

Mayor Pro Tem Martin advised that the City Council has been asked not to attend the meeting as there is not time to post the meeting to comply with the Open Meetings Act.

Council Member Bynum stated that the rain was brought on by a tropical storm, and that variable must be a consideration when evaluating the cause of the flooding.

ITEM NO. 11. REPORTS

Mayor Saleh expressed her appreciation to City staff for their time and efforts related to responding to calls for services, as well as storm clean-up.

ITEM NO. 12. ADJOURN

Mayor Saleh adjourned the meeting at 7:32 p.m.

APPROVED:

ATTEST:

Mary Lib Saleh
Mayor

Susan Crim, TRMC
City Secretary