

**MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
TUESDAY, MARCH 22, 2011**

A regular meeting of the Euless City Council was called to order by Mayor Mary Lib Saleh at 4:00 p.m. on Tuesday, March 22, 2011, 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, Leon Hogg, Donna Mickan, Glenn Porterfield and Perry Bynum.

During the Precouncil meeting:

- Mayor Mary Lib Saleh recognized and expressed her appreciation to the Parks Department for the beautiful gardens planted in the city parks and city medians.
- City Secretary Susan Crim stated that all Council candidate races for the May 14, 2011, election are uncontested, and she presented the City Council with a Certification of Unopposed Status as required by the Texas Election Code. She advised that an item will be included on the April 12, 2011, meeting agenda to cancel the May general election.
- Communications and Marketing Manager Betsy Deck addressed the City Council regarding the upcoming Community Powered Revitalization Blitz scheduled for April 8-9, 2011, and presented a sampling of the houses and the types of repairs to be completed.
- Director of Planning and Economic Development Mike Collins presented a development update, including commercial and residential development.

Communications and Marketing Manager Deck reported on the abatement of four monument signs located in International Business Park.

Communications and Marketing Manager Deck addressed the City Council regarding ideas for marketing the community as a GO TEXAN Certified Retirement Community. The certification was awarded to the City in October 2010 by the Texas Department of Agriculture.

- Finance Director Vicki Rodriguez presented the financial update for the period ending February 28, 2011.

Finance Director Rodriguez presented a draft version of the new format of the City's water bills. She advised that the new format will go into effect with the May billings.

- Director of Public Works and Engineering Ron Young addressed the City Council regarding the city water reserves, the status of the reclaimed water line being built in the City, and the progress on repairs to the Fuller water well.
- City Manager McKamie reviewed the regular agenda items.

Richard Meyers, Chief Executive Officer and Tim Coltart, Vice President of Capital Realty and Dan Quinto, President of Roaring Brook Development were present for the discussion related to the Riverwalk! At Eules Development (Items 8 and 9).

CLOSED SESSION

The City Council convened into closed session at 6:43 p.m. for deliberation regarding the following:

- Consultation with attorney as authorized by Section 551.071 of the Texas Government Code related to:
 - o Primary Purpose Homes

- Real property as authorized by Section 551.072 of the Texas Government Code related to:
 - o Lease of City property north of Harwood Road
 - o Real Estate Acquisition Discussion (North Sheppard Drive)

The City Council reconvened into open session at 6:53 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
Assistant City Manager Chris Barker
City Attorney Wayne K. Olson
City Secretary Susan Crim
Deputy City Secretary Kim Sutter
Police Chief Mike Brown
Director of Planning and Economic Development Mike Collins
Director of Parks and Community Services Ray McDonald
Finance Director Vicki Rodriguez
Interim Fire Chief Paul Smith
Director of Public Works and Engineering Ron Young
Marketing/Communications Manager Betsy Deck
Assistant Police Chief Bob Freeman
Texas Star General Manager Glenda Hartsell-Shelton
Police Captain Gary Landers
Library Administrator Kate Lyon
Fleet and Facility Administrator Kyle McAdams
Information Services Administrator Dan McLain
Senior Planner Stephen Cook
Computer Support Specialist Jake Dilliplane
Police Captain Steve Eskew

Police Records Supervisor Michele Hastings
 Police Captain Steve Kockos
 Police Records Clerk Maria Lopez
 Police Records Clerk Jolie McManus
 Police Secretary Pam Trawick
 Police Records Clerk Carla Voss
 Police Lieutenant John Williams
 Police Sergeant Ron Williamson

VISITORS

David Brown	Esther Johnson	Carroll "Scotty" Scott
Lisa Bynum	Jerrie Keller	Jake Thomasson
Tim Coltart	Richard Myers	Jeremy Tompkins
Iris Elliott	Dan Quinto	
Don Horton	Greg Roemer	

And others as noted in the visitor register.

INVOCATION

Assistant City Manager Chris Barker gave the invocation.

PLEDGE OF ALLEGIANCE

Council Member Leon Hogg led the Pledge of Allegiance.

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

Police Chief Mike Brown introduced Police Records Clerk Jolie McManus. Jolie was accompanied by Assistant Police Chief Bob Freeman, Captains Gary Landers, Steve Eskew and Steve Kockos, Lieutenant John Williams, Sergeant Ron Williamson, Secretary Pam Trawick, Police Records Supervisor Michele Hastings and Police Records Clerks Maria Lopez and Carla Voss.

Mayor Saleh presented Jolie with a plaque and certificate commemorating her selection as employee of the month for April 2011.

ITEM NO. 2. ANNUAL RECYCLING REPORT

Greg Roemer, President, Community Waste Disposal (CWD) presented the annual recycling report. He reported that CWD collected 1,148 tons of recyclables within the city in 2010. Additionally, he acknowledged the City of Euless' recycling milestones with the presentation of a plaque, constructed of 100% recycled plastics, recognizing the recycling of 1,148 tons in 2009, which saved 19,516 trees, 436,240 gallons of oil, 8,036,000 gallons of water, and 4,706,800 kilowatt hours of electricity.

CONSENT AGENDA (Items 3 through 5)

Council Member Mickan motioned to approve Consent Agenda items number 3 through 5.

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. 3. AWARDED BID NO. 006-11

Approved award of annual contract for mowing maintenance for a one year term with three (3) one-year renewal options to 1) O'Donnell's Landscape Services, Inc. for the mowing maintenance of city parks, Police and Court campus, and code compliance; 2) Greener Pastures for the mowing maintenance of the City Hall campus and city facilities; 3) TrueGreen Landcare for the mowing maintenance of city owned right-of-ways and medians.

The estimated annual expenditure is \$173,342.

ITEM NO. 4. AUTHORIZED THE CITY MANAGER TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

Authorized the City Manager to enter into a cooperative purchasing agreement with National Joint Powers Alliance (NJPA).

ITEM NO. 5. APPROVED CITY COUNCIL MINUTES

Approved City Council minutes of regular meeting of March 8, 2011.

REGULAR AGENDA

ITEM NO. 6. APPROVED RENEWAL OF RFP NO. 012-07

Council Member Porterfield motioned to approve a one (1) year extension for depository services with Frost National Bank for the third and final renewal request with pricing, terms and conditions to remain the same.

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. APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1905

Council Member Hogg motioned to approve Ordinance No. 1905, amending Chapter 82 "Traffic and Motor Vehicles," Article III "Operation of Vehicle," Section 82-63 "Same – School Zones," to amend street name to West Pipeline Road.

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. 8. HELD PUBLIC HEARING FOR PLANNED DEVELOPMENT CASE NO. 10-02-PD AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1904

Mayor Saleh advised that the public hearing for this case was opened at the February 22, 2011, City Council meeting, continued to the March 8, 2011, and subsequently to the March 22, 2011, meeting. Mayor Saleh continued the public hearing at 7:20 p.m.

Director of Planning and Economic Development Mike Collins presented the case and outlined the four proposed amendments as recommended by the Planning and Zoning Commission.

Mayor Saleh asked to hear from any proponents followed by opponents to the request.

Richard Meyers, Chief Executive Officer, Capital Realty, spoke in support of the request.

There being no additional proponents or opponents, Mayor Saleh closed the public hearing at 7:56 p.m.

Council Member Stinneford motioned to approve Ordinance No. 1904 related to a request to change the zoning of A. Barnard Survey, A-107, Tract 1A and 1C; Adam Bradford Survey, A-152, Tracts 1, 1A2, 1A3, 1A4, 1A07, 1B, 4, 4B, 4B1, 4B1A, 4B1A2, 4B2, 4B2A, 4C, 4C1, 4C2, 4D, 4D1, 4D2, 4E, 5, 5A, 5A1, 5A1A, and 5B from C-2 (Community Business District) into PD (Planned Development), with the following four amendments in accordance with the recommendation of the Planning and Zoning Commission:

- 1) Section 3 H) Use of Alternative Materials - Commercial and mixed use development shall be constructed in accordance with the material standards in Section 10 of this Ordinance unless modification is approved by the City Council. In order to obtain a modification to the required building materials, the applicant shall provide color elevations describing the materials on the structure, and the percentage of each material on the building. The use of alternate materials shall be a discretionary decision of the City Council following a recommendation from the Planning and Zoning Commission. In granting a modification to the required building materials, the City Council shall first determine that the alternative materials are consistent with the goals of this Ordinance and provide the same degree of durability, safety, and aesthetic appeal as the required materials in Section 10. Such an exception may be

considered concurrent with the site plan;

- 2) Section 6 - Table of Permitted Uses - Add language to the Special Conditions Oil and Gas Extraction to read: Must conform to Chapter 40 Gas and Production;
- 3) Section 12 B) Fence Standards - Add language to Fence types and descriptions: "Premium Composite Fence: Residential applications only, solid composite wood/plastic fencing colored to match wood grains and colors". Additionally, add language to Restrictions related to use of the Premium Composite Fence: "Permitted on Lot Types RI, R2, R3, R4, R5, R6. Fence cannot exceed 6 feet in height and must remain inside building setback lines";
- 4) Add to Section 12 B) Fence Standards - Masonry walls shall be installed as perimeter fencing of any single family detached subdivision if the rear of any lots abuts to Harwood Road, Midway Drive or Bear Creek Parkway. Steel tubular (wrought iron type) fencing with masonry columns may be installed with City Council approval. Masonry walls may not be used as internal or frontage fencing within single family detached lot types. Wherever else fencing may be used (with the exceptions above) this fence may be used. Height and design is subject to restrictions in the design guidelines. Masonry walls used as frontage fences (where allowed) shall be 25% to 50% open.

Council Member Martin seconded the motion.

Council Member Porterfield stated that during his tenure on the City Council, the basic goal of the City was to support commercial development on the subject property. Additionally, he stated that he does not believe single family residential development should be a permitted use on the property, especially given its proximity to the airport; and if permitted, a certain portion of commercial development should be realized prior to the construction of single family residential. He added that he has nothing against the developer or city staff, he just feels strongly that commercial development should be required and in place before single family residential is a consideration, and he will be voting against the motion.

Council Member Stinneford stated that he respected Council Member Porterfield's position. However, in today's retail economy he feels it is not feasible to expect 196 acres of commercial development at this location considering the other commercial developments already in existence and the ones currently under construction. He added that the proposed Planned Development provides the developer the flexibility to develop the entire property as commercial if the market permits. Additionally, he feels that the proposed Planned Development protects the city and the developer and will be a tremendous boost to the overall Eules economy for years to come.

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

Nays: Council Member Porterfield

Mayor Saleh declared the motion carried.

ITEM NO. 9. AUTHORIZED THE CITY MANAGER TO NEGOTIATE AND EXECUTE A DEVELOPMENT AGREEMENT

Council Member Martin motioned to authorize the City Manager to negotiate and execute a development agreement with SLF IV – Eules Riverwalk JV, L.P. related to the Riverwalk! Development. The agreement would further the implementation of approval of the various components and elements of the Project in accordance with the Riverwalk! Planned Development Code, including coordinating the timing of development of specific phases, amenities and infrastructure involving the construction of the initial and subsequent phases of the riverwalk amenity; the financial assessment of property based on the proposed land use for the construction of the riverwalk; the establishment of an escrow fund for the purpose of depositing said assessments; the City’s ability to access and utilize escrowed funds; and the potential use of reclaimed (effluent) water for landscape irrigation and the riverwalk amenity feature.

Council Member Mickan seconded the motion.

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

Nays: Council Member Porterfield

Mayor Saleh declared the motion carried.

ITEM NO. 10. CONSIDER BOARD APPOINTMENT

Council Member Hogg motioned to appoint John Deithloff to serve as Alternate No. 2 on the Civil Service Commission to a term expiring December 31, 2013.

Council Member Stinneford 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. 11. PUBLIC COMMENTS

There were no public comments.

ITEM NO. 12. REPORTS

City Manager

City Manager McKamie recognized and commended Planning and Economic Development Director Mike Collins and Senior Planner Stephen Cook for their outstanding work on the Eules Riverwalk! Development Planned Development project.

City Attorney

City Attorney Wayne Olson stated that he has been impressed with city staff while working with them on the Eules Riverwalk! Development project.

ITEM NO. 13. ADJOURN

Mayor Saleh adjourned the meeting at 8:04 p.m.

APPROVED:

ATTEST:

Mary Lib Saleh
Mayor

Susan Crim, TRMC
City Secretary