

**MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
TUESDAY, APRIL 26, 2011**

A regular meeting of the Euless City Council was called to order by Mayor Pro Tem Linda Martin at 4:00 p.m. on Tuesday, April 26, 2011, in the Precouncil Conference Room of City Hall, 201 North Ector Drive. Those present included Mayor Pro Tem Linda Martin, Council Members Leon Hogg, Donna Mickan, Glenn Porterfield and Perry Bynum. Mayor Mary Lib Saleh and Council Member Perry Bynum were not in attendance.

During the Precouncil meeting:

- City Manager Gary McKamie reported on a fallen light pole on Field 3 at Midway Park, landscaping the medians in front of City Hall along Ector Drive to Trojan Trail, resignation of Bryon Devries from the Zoning Board of Adjustment, and the Community Celebration to be held on May 1, 6 p.m. at First Baptist Euless.
- Fire Chief Wes Rhodes reported on the City of Euless and Northeast Fire Department Association's (NEFDA) participation in combating the Texas wildfires. He stated that Euless was honored to serve as the team leader of the Structural Strike Team.
- Assistant City Manager Chris Barker reported on the Oncor Rate Settlement. He advised that the rate settlement amount has been negotiated down from \$353 million to \$136 million with an effective date of July 1, 2011.
- Director of Public Works Ron Young advised the City Council that staff will bring forward proposed amendments to the Master Thoroughfare Plan focusing on South Main Street. Amendments are required due to plans by the City of Arlington to not extend Ballpark Way north to Euless.
- Director of Public Works Ron Young presented a report regarding the traffic conditions related to S.H. 121 at Glade Road, specifically related to exiting the highway and accessing the right-hand lanes of the frontage road. Police Chief Mike Brown provided statistics related to traffic counts and accidents at the location.
- Director of Planning and Economic Development Mike Collins presented the development update, including the current commercial and residential development and gas well drilling activity.
- Finance Director Vicki Rodriguez presented the financial report for the six-month period ending March 31, 2011.
- Fleet and Facility Administrator Kyle McAdams reported on the progress of the construction of the pavilion at the Texas Star Conference Centre.
- City Manager McKamie reviewed the regular agenda items.

CLOSED SESSION

The City Council convened into closed session at 6:29 p.m. for deliberation regarding the following:

- 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 6:44 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 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
Fire Chief Wes Rhodes
Finance Director Vicki Rodriguez
Director of Public Works and Engineering Ron Young
Marketing/Communications Manager Betsy Deck
Police Captain Gary Landers
Fleet and Facility Administrator Kyle McAdams
Information Services Administrator Dan McLain
Public Works Manager J.T. Ackerman
Computer Programmer/Analyst Tommy Christopherson
Senior Planner Stephen Cook
Recreation Superintendent Michael Davenport
Computer Support Specialist Jake Dilliplane
Senior Citizen Coordinator Diane Eggers
Building Attendant Don Horton
Assistant Finance Director Jackie Theriot

VISITORS

Sarah Christopherson
Victoria Christopherson
Darl Easton
Keith Eggers
Iris Elliott

Leslie Garza
Jeri Harwell
Mary Henderson
Diane Hildreth
Craig Mikolajchak

Jesus Oquendo
Carroll "Scotty" Scott
Louise Walton

And others as noted in the visitor register.

INVOCATION

Computer Programmer Tommy Christopherson gave the invocation.

PLEDGE OF ALLEGIANCE

Council Member Glenn Porterfield led the Pledge of Allegiance.

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

Director of Parks and Community Services Ray McDonald introduced Senior Citizen Coordinator Diane Eggers. Diane was accompanied by her husband, Keith Eggers, Louise Walton, Mary Henderson, and Recreation Superintendent Michael Davenport.

Mayor Pro Tem Martin presented Diane with a plaque and certificate commemorating her selection as employee of the month for May 2011.

ITEM NO. 2. PRESENTATION OF PROCLAMATION

Council Member Leon Hogg presented a proclamation to Director of Parks and Community Services Ray McDonald proclaiming April 29, 2011, as Arbor Day in the City of Eules.

ITEM NO. 3. PRESENTATION OF ANNUAL REPORT BY ALLIED WASTE SERVICES

Diane Hildreth, Municipal Services Manager, Allied Waste Services, introduced Craig Mikolajchak, Operations/Division Manager, and Jeri Harwell, Municipal Services Manager, Allied Waste Services, and advised that Ms. Harwell will become the City of Eules' point of contact as she will assume a new role with Allied Waste Services in recycling sales.

Diane Hildreth presented the annual report regarding solid waste pickup. She reported that Allied had over 1,183,000 direct contacts with Eules customers last year and they picked up 37,941 tons of trash in 2010.

Mayor Pro Tem Martin expressed her appreciation for the support that Allied has given toward City of Eules projects, and wished Diane success in her future endeavors.

ITEM NO. 4. PRESENTATION OF QUARTERLY FINANCIAL REPORT FOR PERIOD ENDING MARCH 31, 2011

Finance Director Vicki Rodriguez presented the quarterly financial report for the period ending March 31, 2011.

CONSENT AGENDA (Items 5 through 7)

Council Member Mickan motioned to approve Consent Agenda items number 5 through 7.

Council Member Hogg seconded the motion.

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

Nays: None

Mayor Pro Tem Martin declared the motion carried.

ITEM NO. 5. APPROVED RESOLUTION NO. 11-1362

Approved Resolution No. 11-1362, authorizing the Texas Coalition for Affordable Power (TCAP) to negotiate and finalize an extension to the current electric supply contract with Next Era through December 31, 2017.

ITEM NO. 6. DESIGNATED THE ZONING BOARD OF ADJUSTMENT AS THE HOUSING AND STRUCTURE BOARD

Designated the Zoning Board of Adjustment (ZBA) as the Housing and Structure Board for the purpose of hearing appeals under the International Property Maintenance Code, the Minimum Housing Code and other applicable housing and substandard building codes of the City.

ITEM NO. 7. APPROVED CITY COUNCIL MINUTES

Approved City Council minutes of regular meeting of April 12, 2011.

REGULAR AGENDA

ITEM NO. 8. AUTHORIZED MAYOR TO NEGOTIATE AND EXECUTE AN OIL AND GAS LEASE

Council Member Stinneford motioned to authorize the Mayor to negotiate and execute an Oil and Gas Lease for approximately 95.925 acres of city owned property located north of Harwood Road with Chesapeake Operating, Inc.

Council Member Mickan seconded the motion.

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

Nays: None

Mayor Pro Tem Martin declared the motion carried.

ITEM NO. 9. AUTHORIZED MAYOR TO NEGOTIATE AND EXECUTE A PROPERTY USE AND MAINTENANCE LEASE

Council Member Stinneford motioned to authorize the Mayor to negotiate and execute a property use and maintenance lease with Chesapeake Operating, Inc. for a 2.266-acre tract of land located at the northeast corner of Bear Creek Parkway and Midway Drive as part of the expansion of the Reclaimed Water System.

Council Member Hogg seconded the motion.

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

Nays: None

Mayor Pro Tem Martin declared the motion carried.

ITEM NO. 10. APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1908

Council Member Hogg motioned to approve Ordinance No. 1908, amending Chapter 82, "Traffic and Motor Vehicles", Article III, "Operation of Vehicle", Section 82-62, "Same – On certain streets and portions of streets", of the Eules Code of Ordinances amending the speed limit for East Ash Lane from Fuller Wisser Road to the State Highway 360 frontage road to 30 miles per hour.

Council Member Stinneford seconded the motion.

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

Nays: None

Mayor Pro Tem Martin declared the motion carried.

ITEM NO. 11. HELD PUBLIC HEARING AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1909

Mayor Pro Tem Martin opened the public hearing at 7:31 p.m.

Director of Parks and Community Services Ray McDonald reported that the annual adoption of a Youth Programs Standards of Care is required by the State to operate municipal youth-based programs and services.

Mayor Pro Tem Martin asked for any proponents followed by opponents wishing to address the City Council regarding the item to come forward.

There being no one requesting to speak, Mayor Pro Tem Martin closed the public hearing at 7:32 p.m.

Council Member Stinneford motioned to approve Ordinance No. 1909, renewing the Youth Programs Standards of Care for the operation of youth-based programs and services as required by the Texas Department of Protective and Regulatory Services.

Council Member Mickan seconded the motion.

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

Nays: None

Mayor Pro Tem Martin declared the motion carried.

ITEM NO. 12. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 11-02-SUP AND APPROVED FIRST READING OF ORDINANCE NO. 1907

Mayor Pro Tem Martin opened the public hearing at 7:33 p.m.

Director of Planning and Economic Development Mike Collins presented the request to the City Council, and advised that the applicant is rebranding the Comfort Suites hotel to an independent brand and no other modifications to the site or operations are proposed. He stated that the previously approved Specific Use Permit (SUP) tied the SUP to the Comfort Suites name and a new Specific Use Permit in the new hotel name is required. The Planning and Zoning Commission has recommended approval of the request with the following conditions:

1. Tied to the business owner, Mr. Manny Singh;
2. Tied to the business name, Plaza Suites;
3. The reconstruction of the monument sign for the hotel located on S. Ector to be in compliance with the City of Euless Sign Ordinance Section 84-232 (51) Euless Unified Development Code; and
4. Valid for one year.

Leslie Garza, general manager of the property, and representing the applicant was present to address questions relating to the request.

Mayor Pro Tem Martin asked for any proponents followed by opponents wishing to address the City Council regarding the request to come forward.

There being no one requesting to speak, Mayor Pro Tem Martin closed the public hearing at 7:36 p.m.

Council Member Stinneford stated that the owner has not practiced good neighborhood in the past and has not followed through with the terms of past agreements. He stated that if the conditions of the SUP are not met after one year, he will vote against approval of the request.

Council Member Hogg motioned to approve Ordinance No. 1907 for a Specific Use Permit on Vine Subdivision, Block A, Lot 1 for a Hotel in C-2 (Community Business District) zoning at 421 W. Airport Freeway with the following conditions:

1. Tied to the business owner, Mr. Manny Singh;
2. Tied to the business name, Plaza Suites;
3. The reconstruction of the monument sign for the hotel located on S. Ector to be in compliance with the City of Euless Sign Ordinance Section 84-232 (51) Euless Unified Development Code; and
4. Valid for one year.

Council Member Mickan seconded the motion.

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

Nays: Porterfield

Mayor Pro Tem Martin declared the motion carried by a vote of 4 to 1.

Mayor Pro Tem Martin stated that Ordinance No. 1907 will require a second reading on May 10, 2011, due to the lack of five affirmative votes.

ITEM NO. 13. HELD PUBLIC HEARING AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1906

Mayor Pro Tem Martin opened the public hearing at 7:41 p.m.

Deputy City Manager Loretta Getchell introduced the item and stated that consideration of this Ordinance is the final step in the creation of the Glade Parks Public Improvement District (PID). The ordinance will approve an assessment roll, set the levy for 2010/2011, and approve a service and assessment plan for the PID. She added that staff is recommending a special assessment of \$0.00 for 2010/2011 as no debt payment related to the public improvement district project costs has been made as of this time.

Mayor Pro Tem Martin asked for any proponents followed by opponents wishing to address the City Council regarding the item to come forward.

There being no one requesting to speak, Mayor Pro Tem Martin closed the public hearing at 7:42 p.m.

Council Member Mickan motioned to approve Ordinance No. 1906, approving the Levy of a Special Assessment for the Glade Parks Public Improvement District (PID); Levying an Assessment Rate for Fiscal Year 2010/2011 at \$0.00 per \$100 Value of Real Property in the PID; and Approving the Fiscal Year 2010/2011 Service and Assessment Plan for the PID.

Council Member Stinneford seconded the motion.

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

Nays: None

Mayor Pro Tem Martin declared the motion carried.

ITEM NO. 14. PUBLIC COMMENTS

No public comments.

ITEM NO. 15. REPORTS

Staff Report

Director of Parks and Community Services Ray McDonald presented a report regarding Parks and Community Services, including the Family Life Center Senior Center, Ector Drive medianscaping, City Hall landscaping, The Parks at Texas Star, the city's aquatics programs and summer camps.

City Attorney

No report given.

City Manager

No report given.

City Council

Council Member Stinneford expressed his appreciation to the city employees and citizens for their support and condolences with the passing of this mother. He stated that his mother was a New Jersey resident, but loved hearing about what was going on in Euless and was so impressed with the management of the city, staff and its volunteers.

Mayor Pro Tem Martin stated that the Deputy Assistant Commissioner of the Rural Economic Development Division of the Texas Department of Agriculture, Becky Dempsey, recently presented a certificate recognizing the city's designation as a *Go Texan Certified Retirement Community*. She added that Euless is one of 38 communities statewide that has received the designation.

Mayor Pro Tem Martin welcomed members of Boy Scout Troop 509 to the meeting.

ITEM NO. 16. ADJOURN

Mayor Pro Tem Martin adjourned the meeting at 7:52 p.m.

APPROVED:

ATTEST:

Mary Lib Saleh
Mayor

Susan Crim, TRMC
City Secretary