

**MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
TUESDAY, JUNE 28, 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, June 28, 2011, in the Precouncil Conference Room of City Hall, 201 North Ector Drive. Those present included Mayor Mary Lib Saleh, Mayor Pro Tem Donna Mickan, Council Members Tim Stinneford, Leon Hogg, Linda Martin, and Perry Bynum. Council Member Glenn Porterfield was present for the 7:00 p.m. regular meeting of the City Council.

During the Precouncil meeting:

- City Manager Gary McKamie stated that the June 23, 2011, Town Hall meeting was well attended.
- Upon her retirement, City Secretary Susan Crim stated that it has been a great experience working for the city for the past 21 years, and she is proud to have been a part of the city.
- City Manager McKamie advised the City Council of proposed plans by a group of people to conduct a march down Pipeline Road in an effort to bring awareness to issues related to the Congan people in their native country.
- Director of Public Works and Engineering Ron Young provided an update related to the Baze Road reconstruction, including the provisions made to transport students to and from school during the construction period.
- Police Captain Gary Landers provided a code update, including sign ordinance enforcement, and the crime prevention program.
- Senior Planner Stephen Cook presented a development update, including the status of the construction of Taco Cabana (corner of SH 183 and FM 157), the Airport Freeway Animal Clinic, Glade Parks, and the St. John the Baptist Greek Orthodox Church.
- Director of Finance Vicki Rodriguez presented the financial update for the period ending May 31, 2011.
- Fleet and Facilities Administrator Kyle McAdams presented an update related to the construction and dedication of the 9-11 Memorial to be located on Ector Drive at the Fire Administration building.
- City Manager McKamie reviewed the regular agenda items.

CLOSED SESSION

The City Council convened into closed session at 6:21 p.m. for deliberation regarding the following:

- Real property as authorized by Section 551.072 related to:
 - o Lease of City Property (Central Drive and W. Euless Boulevard)
- Personnel matters as authorized by Section 551.074 related to:
 - o Zoning Board of Adjustment Appointments

The City Council reconvened into open session at 6:40 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
Director of Parks and Community Services Ray McDonald
Finance Director Vicki Rodriguez
Director of Public Works and Engineering Ron Young
Assistant Police Chief Bob Freeman
Marketing/Communications Manager Betsy Deck
Texas Star General Manager Glenda Hartsell-Shelton
Library Administrator Kate Lyon
Human Resources/Risk Administrator Carolyn Marshall
Information Services Administrator Dan McLain
Fire Marshal Paul Smith
Division Chief Dale Skinner
Fleet and Facility Administrator Kyle McAdams
Public Works Manager J.T. Ackerman
Purchasing Manager Mike Lowry
Computer Support Specialist Jake Dilliplane
Senior Computer Developer Tommy Christopherson
Senior Planner Stephen Cook
Police Captain Steve Kockos
Web Designer Adam Eakins
Librarian Donna Gooch
Librarian Assistant Carolyn Edge
Librarian Assistant Kelly LaBrie
Librarian Assistant Paula Myers
Police Captain Gary Landers
Police Sergeant Brandon Zachary
Battalion Chief Darrell Rutledge
Fire Captain Keith Smith
Fire Captain, Rick Clark

Fire Lieutenant/Paramedic Chanc Bennett
 Fire Lieutenant/Paramedic Scott Stamps
 Firefighter II/Paramedic Irving Alvarado
 Firefighter II/Paramedic Dustin Benton
 Firefighter II/Paramedic James Cowger
 Firefighter/Paramedic Joel Daniel
 Firefighter II/Paramedic Jerad Gomez
 Firefighter II/Paramedic Jarrod Goodman
 Firefighter II/Paramedic Michael Hanks
 Firefighter II/Paramedic Jeff Hayden
 Firefighter II/Paramedic Brandon Herron
 Firefighter/Paramedic Holt Markum
 Firefighter/Driver/Paramedic Jason Moon
 Firefighter II/Paramedic Saul Padilla
 Firefighter/Driver/Paramedic Michael Parks
 Firefighter II/Paramedic James Rowell
 Firefighter II/Paramedic Cody Skinner
 Firefighter II/Paramedic Chris Sutterfield
 Firefighter II/Paramedic Michael Van Pelt
 Fire Secretary Melissa Thomas

VISITORS

Annelle Apple	Susannah Christopherson	Alfredo Levy
David Brown	Victoria Christopherson	Charlie Miller
Sherri Browning	Shirley Daily	Adan Ocampo
Caleb Christopherson	Loretta Doty	Carolyn Parra
Charissa Christopherson	Steve Doty	Robert Parra
David Christopherson	Darl Easton	Leora Peterson
Emily Christopherson	Iris Elliott	Daniel Satsky
Faith Christopherson	Tom Hoover	Carroll Scott
John Christopherson	Maksim Kinofziakou	Faye Stinneford
Josiah Christopherson	Zach Knutson	Jake Thomasson
Luke Christopherson	Kourtney LaBrie	Paul Wieneskie
Pat Christopherson	Matai LaBrie	Norm Whiteman
Sarah Christopherson	Michael LaBrie	

And others as noted in the visitor register.

INVOCATION

Council Member Perry Bynum gave the invocation.

PLEDGE OF ALLEGIANCE

Council Member Tim Stinneford led the pledge of allegiance

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

Fire Marshal Paul Smith introduced Fire Captain Keith Smith. Keith was accompanied by members of the Fire Department.

Mayor Saleh presented Keith with a plaque and certificate commemorating his selection as employee of the month for July 2011.

ITEM NO. 2. PRESENTATION OF EMPLOYEE SERVICE PINS

Library Administrator Kate Lyon introduced Librarian Assistant Kelly LaBrie. Kelly was accompanied by her husband Michael and their children Matai and Kourtney. Mayor Saleh presented Kelly with a pin commemorating her five years of service with the City.

Information Services Administrator Dan McLain introduced Senior Computer Developer Tommy Christopherson. Tommy was accompanied by his wife Pat and their children David, Luke, Josiah, Caleb, Emily, Faith, John, Charissa, Victoria, Susannah, and Sarah. Mayor Saleh presented Tommy with a pin commemorating his five years of service with the City.

CONSENT AGENDA (items 3 through 6)

Council Member Martin motioned to approve Consent Agenda items number 3 through 6.

Council Member Bynum seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 3. APPROVED RESOLUTION NO. 11-1367

Approved Resolution No. 11-1367 moving the August 23, 2011, Council Meeting to August 30, 2011.

ITEM NO. 4. APPROVED RESOLUTION NO. 11-1368

Approved Resolution No. 11-1368 amending the City of Euless proposed budget calendar for Fiscal Year 2011-2012, including the Crime Control and Prevention District and the Euless Development Corporation Budgets.

ITEM NO. 5. APPROVED RESOLUTION NO. 11-1369

Approved Resolution No. 11-1369 establishing a Fund Balance Policy for the City of Euless.

ITEM NO. 6. APPROVED CITY COUNCIL MINUTES

Approved City Council Minutes of the regular meeting of June 14, 2011.

REGULAR AGENDA**ITEM NO. 7. APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1913**

Mayor Pro Tem Mickan motioned to approve Ordinance No. 1913 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 Euless Code of Ordinances to remove the street name "Harrington Gardens Parkway" and replace it with "Rio Grande Boulevard" and to establish a speed limit of 30 miles per hour for Rio Grande Boulevard, Loving Trail and Chisholm Trail.

Council Member Hogg seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 8. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 10-03-SUP AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1914

Mayor Saleh opened the public hearing at 7:18 p.m.

Senior Planner Stephen Cook presented the case to the City Council. He advised that the applicant, Adan Ocampo, proposes to renovate the 1,747 square foot structure located at 1600 W. Euless Boulevard by converting the full structure from auto service to a convenience store with fuel sales. The rear building facing Wilshire will remain an auto service. Since approval of the SUP in 2005, Mr. Ocampo has had several issues with maintaining the conditions of the property in relation to nuisance, zoning and the conditions of the Specific Use Permit. In the past nine months, Mr. Ocampo has been working with the Building Inspections and Code Compliance offices to bring the existing conditions of the site into compliance with the City's regulations. Additionally, the Planning and Zoning Commission held a public hearing on June 21, 2011, and recommended approval of the Specific Use Permit with the following conditions:

1. The Specific Use Permit would be tied to the owner: Mr. Adan Ocampo;
2. The Specific Use Permit would be tied to the business names: Adam's Auto Service and Adam's Food Mart;
3. All signage for both businesses specifically would be maintained to be in compliance with the Sign Ordinance of the City of Euless as amended; and,
4. All landscaping as shown on the site plan approved by the Specific Use Permit be installed prior to the issuance of a Certificate of Occupancy for the convenience store.

Mayor Saleh asked to hear from any proponents of the case.

The applicant, Adan Ocampo, 1600 W. Eules Boulevard, Eules, spoke in support of the case.

There being no additional proponents wishing to address the City Council, Mayor Saleh asked for any opponents to come forward. There being none, Mayor Saleh closed the public hearing at 7:22 p.m.

Council Member Stinneford expressed his concern related to the applicant's noncompliance with the city's sign ordinance.

Council Member Martin asked if the property is currently in full compliance with the sign ordinance.

Police Captain Gary Landers stated there are some items that need to be addressed.

Council Member Stinneford motioned to approve Ordinance No. 1914 for a Specific Use Permit on Oakwood Terrace North Addition, Block 16, Lot AR1 for conversion of Auto Use to Convenience Store in TX-10 (Texas Highway 10 Multi-Use District) zoning, located at 1600 W. Eules Boulevard with the following conditions:

1. The Specific Use Permit would be tied to the owner: Mr. Adan Ocampo;
2. The Specific Use Permit would be tied to the business names: Adam's Auto Service and Adam's Food Mart;
3. All signage for both businesses specifically would be maintained to be in compliance with the Sign Ordinance of the City of Eules as amended;
4. All landscaping as shown on the site plan approved by the Specific Use Permit be installed prior to the issuance of a Certificate of Occupancy for the convenience store; and
5. If the applicant is cited for violation of city sign or crime prevention ordinances after granting of the Specific Use Permit and does not cure the citation(s) within a 30 day period, staff is directed to bring the case before the Planning and Zoning Commission and the City Council for possible revocation of the Specific Use Permit.

Mayor Pro Tem Mickan seconded the motion.

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

Nays: Council Member Martin

Mayor Saleh declared the motion carried.

ITEM NO. 9. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 11-07-SUP AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1915

Mayor Saleh opened the public hearing at 7:29 p.m.

Senior Planner Cook presented the case to the City Council, and advised that the applicant, Parra Car Care, is seeking to utilize the former National Transmission building located at 209

W. Airport Freeway. The business seeks to perform auto repair and maintenance services on cars, light trucks, and vans. The applicant intends to make improvements to the site, including to the parking lot and driveway, landscaping, exterior of structure, signage, and screening, with the knowledge that the site may be subject to Right-of-Way acquisition by the State of Texas for the future expansion of SH 183/Airport Freeway. Additionally, the Planning and Zoning Commission held a public hearing on June 7, 2011, and recommended approval of the Specific Use Permit with the following conditions:

1. The Specific Use Permit is tied to the Business Owner, Mr. Bob Parra;
2. The Specific Use Permit is tied to the Business Name, Parra Car Care;
3. Landscaping in the street yard of the property will be maintained and improved to be in compliance with the standards of the Euless Unified Development Code under Section 84-334;
4. The front parking area, driveway and drive aisle on the west side of the building will be reconstructed with concrete to City Specifications;
5. The screening fence to the rear of the property will be repaired and re-stained;
6. The building will be repainted in accordance with the applicant's intention as stated with their application letter;
7. All signage on the site will be in compliance with the sign ordinance with the Euless Unified Development Code under Section 84-232.

The applicant, Robert Parra, was present to address questions regarding the request.

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

Paul Wieneskie, 204 S. Mesquite, Arlington, spoke in favor of the case on the applicant's behalf.

There being no additional proponents wishing to address the City Council, Mayor Saleh asked for any opponents to come forward. There being none, Mayor Saleh closed the public hearing at 7:32 p.m.

Council Member Bynum inquired about the possibility of replacing the fence.

Paul Wieneskie, representing the applicant, stated that the intent is to repair and restrain the existing fence.

Council Member Martin expressed her appreciation for the applicant's willingness to invest funds into the property.

Council Member Martin motioned to approve Ordinance No. 1915 for a Specific Use Permit on Casa Bonita Addition, Block 1, Lot 2 for Auto Repair and Maintenance Service in TX-10 (Texas Highway 10 Multi-Use District) zoning, located at 209 W. Airport Freeway with the following conditions:

1. The Specific Use Permit is tied to the Business Owner, Mr. Bob Parra;
2. The Specific Use Permit is tied to the Business Name, Parra Car Care;
3. Landscaping in the street yard of the property will be maintained and improved to be in compliance with the standards of the Euless Unified Development Code under Section 84-334;

4. The front parking area, driveway and drive aisle on the west side of the building will be reconstructed with concrete to City Specifications;
5. The screening fence to the rear of the property will be repaired and re-stained;
6. The building will be repainted in accordance with the applicant's intention as stated with their application letter; and
7. All signage on the site will be in compliance with the sign ordinance with the Euless Unified Development Code under Section 84-232.

Council Member Stinneford seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 10. HELD PUBLIC HEARING REGARDING PLANNED DEVELOPMENT 11-02-PD AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1916

Mayor Saleh opened the public hearing at 7:35 p.m.

Assistant City Manager Chris Barker presented the case to the City Council, and advised that the applicant, Glade 121, LP, is requesting approval of modifications to the Glade Parks Planned Development (PD) zoning district (Ordinance Number 1898) in order to provide 1) Specific lot and design regulations for a single-family residential product within the Neighborhood Residential subdistrict; 2) To modify the alignment of Red River Drive; 3) To provide flexibility on perimeter fencing and screening around the Neighborhood Residential and Urban Residential subdistricts; and 4) To update the associated graphics and exhibits of the Planned Development zoning district to accurately reflect current development goals. Modifications to the approximately 193 acre Glade Parks Planned Development zoning district was recommended for approval by the Planning and Zoning Commission on December 7, 2010, and approved by the City Council on January 11, 2011. He added that, one of the more significant changes to the ordinance at that time is the inclusion of a single-family product within the Neighborhood Residential subzone instead of only a townhome product.

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

Zach Knutson, Chief Operating Officer, Rubloff Development Group, 4949 Harrison Avenue, Rockford, Illinois, thanked staff and City Council for their dedication and flexibility with this project, and announced that K. Hovnanian Homes has been signed as the residential developer, and JLB Residential is under contract to develop the urban residential district of the development.

There being no additional proponents wishing to address the City Council, Mayor Saleh asked for any opponents to come forward. There being none, Mayor Saleh closed the public hearing at 7:44 p.m.

Mayor Pro Tem Mickan inquired as to the number of floor plans and outside elevations planned for the single family residential development by K. Hovnanian Homes, as well as the minimum price point, and expressed her concern related to a development with front entry garages and lot widths of 50 feet.

Daniel Satsky, K. Hovnanian Homes, 770 Black Forest, Southlake, stated they have eight floor plans and typically three elevations for each floor plan. Additionally, the current average price, based on the models, is \$350,000 to \$375,000.

Mayor Saleh inquired if there would be any two story residences within this project.

Daniel Satsky, representing K. Hovnanian Homes, stated that a majority of the homes will be two-story; however the development will include one-story homes.

Council Member Bynum motioned to approve Ordinance No. 1916 for a Planned Development of BBB & C RR Survey, A-204, Tracts 5 and 5D; J. Doss Survey, A-441, Tracts 3C, 4A1, 4A1A, 4B, 4B1, 4B2, 4C, 5, 6, 6A, 6A1, 6A2, 6B, 6B1, 6B1A, and 6B2; and J. Havins Survey, A-685, Tracts 2A and 3 from PD1898 (Planned Development 1898) to PD (Planned Development) zoning, located on the west side of Highway 121, between Glade Road and Cheek Sparger Road.

Council Member Martin seconded the motion.

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

Nays: Mayor Pro Tem Mickan

Mayor Saleh declared the motion carried.

ITEM NO. 11. HELD PUBLIC HEARING REGARDING AN AMENDMENT TO THE UNIFIED DEVELOPMENT CODE AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1917

Mayor Saleh opened the public hearing at 7:51 p.m.

Senior Planner Cook presented the ordinance to the City Council, and advised that amendments are recommended due to potential right of way acquisition by a governmental agency as a result of projects, such as the North Tarrant Express. He added that the Planning and Zoning Commission held a public hearing on June 21, 2011, and recommended approval of the ordinance.

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

There being none, Mayor Saleh closed the public hearing at 7:53 p.m.

Council Member Stinneford motioned to approve Ordinance No. 1917 amending Article III "Nonconformance" of Chapter 84 "Unified Development Code" to provide for an exemption from development regulations where noncompliance with the regulations is caused by acquisition of right-of-way by a governmental agency.

Mayor Pro Tem Mickan seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 12. APPROVED SITE PLAN NO. 10-04-SP

Senior Planner Cook presented the case to the City Council, and advised that the request includes the addition of a 5,000 square foot masonry structure with a stucco finish to be utilized as a training facility. He added that the Planning and Zoning Commission recommended approval of the request.

Norm Whiteman, owner, and Tom Hoover, representing the applicant, were present to address questions regarding the request.

Council Member Bynum asked if there would be fascia on the edges of the roof structure.

Norm Whiteman responded that the structure will have fascia and a cover.

Council Member Hogg motioned to approve Site Plan No. 10-04-SP for a Commercial Development proposed to be located on Allen M. Downen Survey, A-415, Tract 4B3, 1020 S. Industrial Boulevard.

Council Member Stinneford seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 13. AUTHORIZED THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PHASE II DEVELOPMENT AGREEMENT

Mayor Pro Tem Mickan motioned to authorize the City Manager to negotiate and execute a Phase II Development Agreement with Glade 121, L.P. specifying the responsibilities of each party as it relates to public improvements approved in the TIRZ #3 Project and Financing Plan.

Council Member Martin seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 14. BOARD AND COMMISSION APPOINTMENT

Council Member Hogg motioned to appoint David Brown to serve as a member of the Zoning Board of Adjustment with an expiring term of December 31, 2011.

Council Member Stinneford seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 15. PUBLIC COMMENTS

Charlie Miller, 608 Creekside Drive, Euless, expressed his appreciation to retiring City Secretary Susan Crim for her years of service.

ITEM NO. 16. REPORTS

City Attorney

City Attorney Wayne Olson recognized retiring City Secretary Susan Crim and stated that she will be greatly missed.

City Manager

City Manager McKamie acknowledged Brandon Zachary and his recent promotion to Police Sergeant. Additionally, he expressed his appreciation to retiring City Secretary Susan Crim for her dedication and wished her well in her retirement.

City Council

Mayor Saleh stated that retiring City Secretary Susan Crim will be missed and welcomed incoming City Secretary Kim Sutter.

ITEM NO. 17. ADJOURN

Mayor Saleh adjourned the meeting at 8:05 p.m.

APPROVED:

ATTEST:

Mary Lib Saleh
Mayor

Kim K. Sutter, TRMC
City Secretary