

**MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
Tuesday, October 11, 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, October 11, 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, Glenn Porterfield, and Perry Bynum.

During the Precouncil meeting:

- Mayor Mary Lib Saleh announced that she attended the Empowering Seniors Health and Lifestyle Expo on October 7, 2011, as well as the Northeast Leadership Breakfast on October 11, 2011.
- Council Member Tim Stinneford advised that the Hazardous Material Collection which was held on October 8, 2011, went well with 127 vehicles disposing of household hazardous waste items.
- Mayor Pro Tem Donna Mickan stated that the October 4, 2011, National Night Out neighborhood events enjoyed great turnouts. Council Member Linda Martin added that the carwash on North Industrial provided free carwashes in recognition of the event, and Council Member Leon Hogg stated that he visited nine (9) of the neighborhoods.
- City Secretary Kim Sutter stated that the City Council has been provided the Board and Commission workbooks to assist in the annual board and commission appointment process.
- City Manager Gary McKamie announced that the annual City Burger Bash will be held on October 21, 2011, 11 a.m. to 1:30 p.m., at The Parks at Texas Star and includes a car show and a 1950's costume contest. Additionally, he reported that the Community Powered Revitalization (CPR) blitz will take the place on October 14 and 15.
- Library Administrator Kate Lyon stated that the Friends of the Library Book Sale will be held October 14 - 16, 2011, at the Euless Public Library.
- Information Services Administrator Dan McLain presented and discussed the use of a tablet computer, in place of laptops, by the City Council for the purpose of viewing City Council agenda meeting packets, receiving and viewing e-mail correspondence, and browsing the web.

- Technical Services Manager Gary Gregg provided an update regarding the city's radio system, including the need to upgrade the system by 2015 and the cost associated with the upgrade. He explained that Euless and five other cities joined together to form the Northeast Tarrant County Radio Consortium (NETCO).
- City Manager McKamie announced that Texas Star General Manager Glenda Hartsell-Shelton was featured in the October issue of *Avid Golfer* highlighting women in golf.
- Director of Public Works and Engineering Ron Young provided an update related to the State Highway 10 asphalt overlay. The work is expected to be complete after the first of the year (2012).
- Director of Public Works and Engineering Young reported on the status of the water conservation levels. He stated that the combined storage of the two lakes is currently 70 percent, and that Stage 2 water restrictions are set to go into effect when the storage capacity drops to 60 percent. With the current projected usage, it is anticipated that stage 2 may be implemented in the summer of 2012. He added that current rainfall, as measured from the DFW reporting station, is 7.94 inches below normal for the year.
- Director of Public Works and Engineering Young presented the wastewater report for the July to September 2011 quarter. He presented a graph of wastewater calls by month for the quarter as well as maps delineating the geographic distribution of calls across the city. In summary, a total of 45 calls were received in the quarter with 7 being city calls.
- Director of Parks and Community Services Ray McDonald presented the update related to the city's parks and community services, including the Midway Family Life Center, city swimming pools, Parks at Texas Star Baseball League, and Softball World. Additionally, he reported on the state of the city maintained landscape, the newly constructed Trailwood retaining wall, and city entry signs.
- City Manager McKamie reviewed the regular agenda items.

CLOSED SESSION

The City Council convened into closed session at 6:22 p.m. for deliberation regarding the following:

Purchase, exchange, lease of real property as authorized by Section 551.072 related to:

- Real Property Adjacent to Texas Star Golf Course, J.W. Haynes Survey

Economic development incentives as authorized by Section 551.087 related to:

- ServiceMaster Tax Abatement

The City Council reconvened into open session at 6:45 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 Kim Sutter
Assistant to the City Secretary Holly Houston
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
Assistant Police Chief Bob Freeman
Texas Star General Manager Glenda Hartsell-Shelton
Library Administrator Kate Lyon
Fleet and Facility Administrator Kyle McAdams
Information Services Administrator Dan McLain
Court Manager Teresa Alexander
Senior Planner Stephen Cook
Computer Support Specialist Brett Bennett
Police Corporal Brian Brennan
Police Senior Corporal Tony Burnett
Police Public Service Officer Russell Carter
Web Designer Adam Eakins
Police Captain Steve Eskew
Police Technical Service Manager Gary Gregg
Police Corporal James Gordon
Senior Police Officer John Haecker
Police Captain Steve Kockos
Police Captain Gary Landers
Facilities Attendant Jerald Lively
Deputy Court Clerk Rose Lopez
Deputy Court Clerk Roslyn Moore
Deputy Court Clerk Emily Murphy
Deputy Court Clerk Sylvia Paul
Deputy Court Clerk Claudia Quintero
Administration Executive Secretary Diana Ryan
Parks Field Tech I Matt Shelley
Police Lieutenant Eric Starnes
Administration Administrative Secretary Danette Thorpe
Deputy Court Clerk Shesheyko Washington

VISITORS

Sherri Browning
Michael Cornell
Shirley Daily
Darl Easton
Iris Elliott
Amy Haecker
Gary Haecker

Julian Haecker
Kathy Haecker
Melissa Hendley
Josh Kaker
Jerrie Keller
Freddy Paul
Barbara Shelley

Felix Shelley
Tiffany Shelley
Linda Simmons
Faye Stinneford
Jake Thomasson

And others as noted in the visitor register.

INVOCATION

Council Member Glenn Porterfield gave the invocation.

PLEDGE OF ALLEGIANCE

Council Member Perry Bynum led the pledge of allegiance.

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

Police Chief Mike Brown introduced Public Service Officer Russell Carter. Russell was accompanied by members of the Police Department.

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

ITEM NO. 2. PRESENTATION OF EMPLOYEE SERVICE PINS

Municipal Court Manager Teresa Alexander introduced Deputy Court Clerk Sylvia Paul. Sylvia was accompanied by her husband, Freddy. Mayor Saleh presented Sylvia with a service pin commemorating her five years of service with the City.

Director of Parks and Community Services Ray McDonald introduced Parks Field Tech I Matt Shelley. Matt was accompanied by his wife Barbara, his daughter Tiffany, and grandson Felix. Mayor Saleh presented Matt with a service pin commemorating his five years of service with the City.

City Manager Gary McKamie introduced Executive Secretary Diana Ryan. Diana was accompanied by Administrative Secretary Danette Thorpe. Mayor Saleh presented Diana with a service pin commemorating her fifteen years of service with the City.

Police Chief Brown introduced Senior Police Officer John Haecker. John was accompanied by his wife, Amy, daughter, Julian, his parents, Gary and Kathy Haecker, and members of police department. Mayor Saleh presented John with a service pin commemorating his fifteen years of service with the City.

Police Chief Brown introduced Police Corporal James Gordon. James was accompanied by members of the Police Department. Mayor Saleh presented James with a service pin commemorating his fifteen years of service with the City.

CONSENT AGENDA (items 3 through 8)

Council Member Stinneford motioned to approve Consent Agenda items number 3 through 8.

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. 3. AUTHORIZED MAYOR TO NEGOTIATE AND EXECUTE A PUBLIC RIGHT-OF-WAY USE AGREEMENT WITH MIDSTREAM GAS SERVICES, L.L.C.

Authorized the Mayor to negotiate and execute a Public Right-Of-Way Use Agreement with Midstream Gas Services, L.L.C. for the construction of a natural gas pipeline under certain portions of Minters Chapel Road and Midway Drive.

ITEM NO. 4. AUTHORIZED CITY MANAGER TO EXECUTE AN 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 roadway construction and asphalt overlay improvements on Slaughter Lane and Aransas Drive, and tree and brush trimming along South Pipeline Road. The estimated expenditure is \$300,000.

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

Authorized the City Manager to execute an Interlocal Agreement between the City of Allen and the City of Euless for the purchase of various goods and services.

ITEM NO. 6. AUTHORIZED THE PURCHASE OF A SKY WATCH SURVEILLANCE UNIT

Authorized the purchase of a Sky Watch surveillance/monitoring unit for the Police Department from a General Services Administration Contract with ICX Technologies, Arlington, Virginia. The estimated expenditure is \$85,372.22.

ITEM NO. 7. APPROVED RESOLUTION NO. 11-1372

Approved Resolution No. 11-1372, approving a Chapter 380 Agreement by and between the City of Euless and Larry Smith for property located at 1101 North Main Street and authorizing the City Manager to execute an agreement.

ITEM NO. 8. APPROVED CITY COUNCIL MINUTES

Approved City Council minutes of the regular meeting of September 27, 2011.

REGULAR AGENDA

ITEM NO. 9. APPROVED REQUEST FOR A TEMPORARY USE PERMIT NO. 11-08-CC

Mayor Pro Tem Mickan motioned to approve Temporary Use Permit No. 11-08-CC for Mosier Valley Eagles Pathfinder Club Fundraiser Sale to be located on Puente Del Oeste, Tract 5A, 701 South Industrial Boulevard for one (1) day on October 23, 2011, from 7:00 a.m. to 5:00 p.m.

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. 10. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 11-13-SUP AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1929

Mayor Saleh opened the public hearing at 7:24 p.m.

Director of Planning and Economic Development Mike Collins presented the case to the City Council, and advised that the applicant is seeking renewal of a Specific Use Permit for a Motor Vehicle Dealer (Internet Auto Sales) located at 1401 Royal Parkway, Suite D, MSDN Motors L.L.C. Additionally, the Planning and Zoning Commission held a public hearing on October 4, 2011, and 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) No outdoor advertising display other than a permitted sign indicating the name of the Business;
- 4) No outdoor storage or display of vehicles;
- 5) No on-site major mechanical or auto body work to be performed on vehicles; and

- 6) 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.

The applicant, Michael Cornell, was present to address any questions.

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

There being none, Mayor Saleh closed the public hearing at 7:26 p.m.

Council Member Bynum motioned to approve Ordinance No. 1929 for a Specific Use Permit on International/Regional Industrial Complex, Block A, Lot 2 for a Motor Vehicle Dealer (Internet Auto Sales) in Heavy Industrial District (I-2) zoning, located at 1401 Royal Parkway, Suite D with the following conditions:

- 1) Tied to the owner, Mr. Michael Cornell;
- 2) Tied to the business name: MDSN Motors, LLC;
- 3) No outdoor advertising display other than a permitted sign indicating the name of the Business;
- 4) No outdoor storage or display of vehicles;
- 5) No on-site major mechanical or auto body work to be performed on vehicles; and
- 6) 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.

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. 11. HELD PUBLIC HEARING AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1930

Mayor Saleh opened the public hearing at 7:27 p.m.

Finance Director Vicki Rodriguez presented the proposed ordinance to the City Council. She advised that the 82nd Legislature enacted Senate Bill 1 which amended Section 11.253 of the Texas Tax Code. She stated that the amendment narrowed the definition of "goods-in-transit" and now relates only to those goods being stored. The amendment was effective October 1, 2011, and applies to tax years 2012 and subsequent.

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

There being none, Mayor Saleh closed the public hearing at 7:29 p.m.

Council Member Hogg motioned to approve Ordinance No. 1930 amending Chapter 78, Article 1, Section 78-2 of the Code of Ordinances entitled "Taxation of Tangible Personal Property In Transit" providing for the ad valorem taxation of Tangible Personal Property in Transit, pursuant to Section 11.253 of the Texas Tax Code.

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. PUBLIC COMMENTS

There were no public comments.

ITEM NO. 13. REPORTS

City Attorney

No report given.

City Manager

No report given.

City Council

Mayor Saleh invited those who have not seen the 911 Memorial at night, to visit the site after the City Council meeting to see the glow of the eternal flames.

ITEM NO. 14. ADJOURN

Mayor Saleh adjourned the meeting at 7:30 p.m.

APPROVED:

ATTEST:

Mary Lib Saleh
Mayor

Kim Sutter, TRMC
City Secretary