

**MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
Tuesday, January 24, 2012**

A regular meeting of the Euless City Council was called to order by Mayor Mary Lib Saleh at 4:00 p.m. on Tuesday, January 24, 2012, 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:

- Council Member Perry Bynum announced that 6Stones presented City Manager Gary McKamie with the first *6Stones, Gary McKamie Catalyst of Hope Award* on January 20, 2012.
- City Manager McKamie announced that Building Official Kurt Kasson has accepted a position with the City of Allen, and his last day with the City of Euless is January 27, 2012. Additionally, he announced the upcoming retirements of Fire Lieutenant Kip Smith and Fire Lieutenant Danny Phillips.
- Police Captain Gary Landers presented the code update, including residential, commercial, and apartment inspections. Additionally, he advised the City Council on the status of the horse stables located at 1000 South Industrial Boulevard.
- Director of Planning and Economic Development Mike Collins presented the development update, including commercial and residential developments, as well as an update regarding the Chesapeake Energy Kramer and Mims gas well pad sites.
- Director of Public Works and Engineering Ron Young addressed the City Council regarding the proposed Colleyville/Euless boundary adjustment. He stated that the boundary adjustment includes 4.438 acres bounded by Cheek Sparger Road, Woodpark Lane, and Heritage Avenue.
- Director of Public Works and Engineering Young advised that the Tarrant Regional Water District (TRWD) storage capacity is at 72 percent.
- Finance Director Vicki Rodriguez provided a financial update for the period ending December 31, 2011.
- City Manager McKamie reviewed the regular agenda items which included a brief presentation by Adam McCane, Senior Manager with Weaver, LLP, regarding the Comprehensive Annual Financial Report for fiscal year ending September 30, 2011.

CLOSED SESSION

The City Council convened into closed session at 6:14 p.m. for deliberation regarding the following:

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

- Real Property Adjacent to Texas Star Golf Course, J. W. Haynes Survey
1000 Central Drive, Bedford, Texas

Personnel matters as authorized by Section 551.074 related to:

- City Manager Contract
- City Secretary Contract

Economic development incentives as authorized by Section 551.087 related to:

- East Euless Boulevard

The City Council recessed closed session and reconvened into open session at 6:42 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
Texas Star General Manager Glenda Hartsell-Shelton
Library Administrator Kate Lyon
Human Resources/Risk Administrator Carolyn Marshall
Fleet and Facility Administrator Kyle McAdams
Information Services Administrator Dan McLain
Finance Assistant Director Jackie Theriot
Public Works Manager J.T. Ackerman
Finance Accountant II Diana Ayala
Senior Planner Stephen Cook
Computer Support Specialist II Jake Dilliplane
Police Captain Gary Landers

VISITORS

Sherri Browning
Shirley Dailey
Wade Delk
Loretta Doty
Darl Easton
Linda Eilenfeldt

Iris Elliott
Bruce German
Damir Guilmanov
Dan Horton
Emad Lewis
Adam McCane

Carl Miller
John Strawn
Mike Street
Ron Tipton

And others as noted in the visitor register.

INVOCATION

Police Chief Mike Brown gave the invocation.

PLEDGE OF ALLEGIANCE

Council Member Tim Stinneford led the pledge of allegiance.

ITEM NO. 1. PRESENTATION OF EMPLOYEE OF THE MONTH OF FEBRUARY

The presentation to Parks and Community Services Program Specialist Robbie Rodgers for employee of the month for February 2012 was not made during the meeting as Robbie was unable to attend the meeting.

ITEM NO. 2. PRESENTATION OF COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR FISCAL YEAR ENDING SEPTEMBER 30, 2011

Adam McCane, Senior Manager with Weaver, LLP, presented the results of the Comprehensive Annual Financial Report to the City Council, and stated that the report indicates a healthy financial position for the city. He added that the opinion was once again unqualified, which is the highest level of assurance they can provide.

ITEM NO. 3. PRESENTATION OF QUARTERLY FINANCIAL REPORT FOR PERIOD ENDING DECEMBER 31, 2011

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

CONSENT AGENDA (items 4 through 9)

Council Member Martin motioned to approve the Consent Agenda items number 4 through 9.

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. 4. AUTHORIZED PURCHASE OF BULK GASOLINE AND DIESEL FUELS

Authorized purchase of bulk gasoline and diesel fuels through an Interlocal Agreement with Tarrant County. The estimated expenditure is \$235,000 for unleaded fuel and \$113,400 for diesel fuel.

ITEM NO. 5. AUTHORIZED PURCHASE OF FLEET VEHICLES

Authorized purchase of four (4) police patrol utility vehicles from the Buy Board Purchasing Cooperative. The recommended vendor is Caldwell County Chevrolet, and the estimated expenditure is \$102,188.

ITEM NO. 6. ACKNOWLEDGED RECEIPT OF FY2011 ANNUAL INVESTMENT REPORT

Acknowledged receipt of Fiscal Year 2011 Annual Investment report in accordance with Texas Local Government Code, Chapter 2256.

ITEM NO. 7. ACKNOWLEDGED RECEIPT OF COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR FISCAL YEAR ENDING SEPTEMBER 30, 2011

Acknowledged receipt of Comprehensive Annual Financial Report (CAFR) for Fiscal Year ending September 30, 2011, in accordance with Article VII, Section 11 of the City of Euless Charter.

ITEM NO. 8. APPROVED RESOLUTION NO. 12-1381

Approved Resolution No. 12-1381, amending the Investment Policy for all funds invested for the City of Euless.

ITEM NO. 9. APPROVED CITY COUNCIL MINUTES

Approved City Council minutes of the regular Meeting of January 10, 2012.

REGULAR AGENDA

ITEM NO. 10. AUTHORIZED MAYOR TO NEGOTIATE AND EXECUTE CONVEYANCE DOCUMENTS

Council Member Stinneford motioned to authorize the Mayor to negotiate and execute conveyance documents for the purchase of approximately 3.08+/- acres situated in the J. W. Haynes Survey, Abstract 786, a portion of Tract 1A. The property adjoins the Texas Star Golf Course in the vicinity of Hole #13.

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. AUTHORIZED CITY MANAGER TO NEGOTIATE AND EXECUTE A FIELD USE AND LEASE AGREEMENT

Mayor Pro Tem Mickan motioned to authorize the City Manager to negotiate and execute a Field Use and Lease Agreement with Sting Soccer Group, L.P. and Texas Titans FC, L.L.C. (collectively "Sting") for the use of a portion of the property located at 1501 South Pipeline Road (The Parks at Texas Star Sports Complex) as a practice and training facility for youth soccer.

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. 12. APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1931

Council Member Hogg motioned to approve Ordinance No. 1931, amending Chapter 34, "Fire Prevention and Protection" of the City of Euless Code of Ordinances adopting the 2009 International Fire Code (IFC) with amendments.

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. 13. APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1942

Council Member Porterfield motioned to approve Ordinance 1942, amending portions of Chapter 14, "Buildings and Building Regulations" of the City of Euless Code of Ordinances adopting the 2009 International Code Council (ICC) Codes, with amendments, and deleting Section R315-2 in its entirety from the ordinance.

Council Member Bynum seconded the motion.

Darl Easton, 1005 Fayette Drive, Euless, expressed his appreciation to the City Council for excluding Section R315-2 related to carbon monoxide sensors, and stated that he felt that the entire International Building Code should be evaluated to not dictate requirements for items related to personal decisions.

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. APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1938

Council Member Hogg motioned to approve Ordinance No. 1938, amending Chapter 40, "Gas Drilling and Production" of the City of Euless Code of Ordinances by providing for approval of setbacks and distance restrictions for gas drilling and production within certain "PD" planned development districts.

Council Member Bynum seconded the motion.

Mayor Saleh emphasized that the ordinance only applies to certain Planned Developments.

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. APPROVED SITE PLAN NO. 11-09-SP

Council Member Stinneford motioned to approve Site Plan No. 11-09-SP, concurrent with the Planning and Zoning Commission recommendations, for Commercial Development to be located on J. I. Case Addition, Block 1, Lot 1, 2019 West Airport Freeway.

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. 16. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 11-15-SUP AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1939

Mayor Saleh opened the public hearing at 7:33 p.m.

Director of Planning and Economic Development Collins presented the case to the City Council, and advised that the applicant is seeking a renewal of a Specific Use Permit for One-Source Auto, formerly Patriot Motor Company, for an internet sales based Motor Vehicle Dealer, located at 1361 West Eules Boulevard, Suite 205. Additionally, the Planning and Zoning Commission held a public hearing on January 17, 2012, and recommended approval of the Specific Use Permit with the following conditions:

- 1) Tied to the owner, Mr. Wade Delk;
- 2) Tied to the business name: One-Source-Auto;
- 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 (5) 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 owner, Wade Delk, 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 7:35 p.m.

Council Member Martin motioned to approve Ordinance No. 1939 for a Specific Use Permit on State Highway 10 Business Center Addition, Block A, Lot 2, for an internet sales based Motor Vehicle Dealer in Community Business District (C-2) zoning at 1361 West Eules Boulevard, Suite 205, with the conditions presented and recommended by the Planning and Zoning Commission.

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. 17. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 11-16-SUP AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1940

Mayor Saleh opened the public hearing at 7:36 p.m.

Director of Planning and Economic Development Collins presented the case to the City Council, and advised that the applicant is requesting a Specific Use Permit for a Limousine Service (Godfather Trans. Inc.), located at 1523 Baccarac Court. Additionally, the Planning and Zoning Commission held a public hearing on January 17, 2012, and recommended approval of the Specific Use Permit with the following conditions:

- 1) Tied to the owner of the business: Mr. Emad Lewis;
- 2) Tied to the business name: Godfather Trans. Inc.;
- 3) No mechanical or auto body work may be conducted on the vehicles contained within the facility with the exception of any minor maintenance;
- 4) No vehicles used for the business may be stored exterior to the business; and,
- 5) Issued for the introductory period of one year, after which a renewal of the specific use permit will be required to be heard by the Planning and Zoning Commission and City Council.

The applicant, Emad Lewis, 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 7:38 p.m.

Council Member Stinneford motioned to approve Ordinance No. 1940 for a Specific Use Permit on Baccarac Industrial Park, Block A, Lot 1R for a Limousine Service in Texas Highway 10 Multi-Use District (TX-10) zoning at 1523 Baccarac Court, with the conditions presented and recommended by the Planning and Zoning Commission.

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. 18. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 11-17-SUP AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1941

Mayor Saleh opened the public hearing at 7:39 p.m.

Director of Planning and Economic Development Collins presented the case to the City Council, and advised that the applicant is seeking renewal of a Specific Use Permit for an

internet sales based Motor Vehicle Dealership (RD Auto Group), located at 2811 West Euless Boulevard. Additionally, the Planning and Zoning Commission held a public hearing on January 17, 2012, and recommended approval of the Specific Use Permit with the following conditions:

- 1) Tied to the owner, Mr. Damir Guilmanov;
- 2) Tied to the business name: RD Auto Group;
- 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 (this condition does not include computer diagnostic of vehicles which may be performed; 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.

The owner, Damir Guilmanov, 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 7:41 p.m.

Council Member Martin motioned to approve Ordinance No. 1941 for a Specific Use Permit on J. W. Lewellyn Addition, Block 1, Lot 2 for an internet sales based Motor Vehicle Dealership in Light Industrial District (I-1) zoning at 2811 West Euless Boulevard, with the conditions presented and recommended by the Planning and Zoning Commission.

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. 19. APPROVED RESOLUTION NO. 12-1380

Council Member Hogg motioned to approve Resolution No. 12-1380, calling a general election for the offices of City Council Members, Place 5 and Place 6, on Saturday May 12, 2012, and authorized a contract with Tarrant County to furnish election services and equipment.

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. 20. APPROVED EXTENSION OF CONTRACT FOR CITY MANAGER

Council Member Stinneford motioned to approve an extension of the City Manager's contract to January 31, 2014.

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. 21. APPROVED EXTENSION OF CONTRACT FOR CITY SECRETARY

Council Member Martin motioned to approve an extension of the City Secretary's contract to January 31, 2014.

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. 22. PUBLIC COMMENTS

There were no public comments.

ITEM NO. 23. REPORTS

City Attorney

No report given.

City Manager

City Manager Gary McKamie announced the upcoming retirements of Fire Lieutenant Kip Smith and Fire Lieutenant Danny Philips and stated they will be missed. Additionally, he announced that the city is participating in welcoming home the troops at DFW Airport from February 6, 2012, through February 12, 2012.

City Council

Mayor Saleh announced the recipients of the awards issued at the January 14, 2012, Fire Department Banquet.

Fire Department Employee of the Year 2011	Lance Judd
Fire-Rescue Specialist of the Year 2011	Shawn Soule
Fire Supervisor of the Year 2011	Bill VerSteege
Driver-Engineer of the Year 2011	James Rowell
EMS Provider of the Year 2011	Josh Schnitzius

She also stated that a Town Hall meeting will be held on January 26, 2012, and the next City Council meeting is scheduled for February 14, 2012.

ITEM NO. 24. ADJOURN

Mayor Saleh adjourned the meeting at 7:48 p.m.

APPROVED:

ATTEST:

Mary Lib Saleh
Mayor

Kim Sutter, TRMC
City Secretary