

**MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
Tuesday, May 8, 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, May 8, 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:

- Mayor Mary Lib Saleh announced that the City Council, Historical Committee, and staff who have assisted with the development of the Euless history museum are invited for a special sneak preview of the museum on June 11, 2012, 11:30 a.m. to 1:00 p.m., at the Ruth Millican Center. Additionally, she advised that she attended Oakwood Terrace Elementary School's 50th Year Anniversary celebration on May 5, 2012, and stated the turnout included the school's first principal, teachers, and students.
- Council Member Linda Martin announced that the Euless Citizens Fire Academy Alumni Association (ECFAAA) Steak Dinner Fundraiser is scheduled for June 16, 2012, 4:30 to 8 p.m. at Fire Station No. 3, and tickets are \$13.50 each.
- City Secretary Kim Sutter provided an update regarding the City's General Election, including early vote totals to date, and the process for the release of the election results after the close of the polls on Saturday, May 12, 2012.
- City Manager Gary McKamie announced the following:
 - Recognized Texas Star Golf Course staff and firefighters for assisting a golfer that experienced a heart attack on May 7, 2012;
 - Reservations at Raven's Grille for Mothers Day brunch May 13, 2012; and
 - International Council of Shopping Centers (ICSC) ReCon Convention, May 20 to May 23, 2012, and advised that he, Council Member Leon Hogg, and Director of Planning and Economic Development Mike Collins will attend.
- Police Captain Gary Landers presented the code update, including residential, and commercial code issues, and apartment inspections.
- Fire Chief Wes Rhodes presented the fire update, including staffing levels, training, and the addition of the Squad 55 truck, adding that Squad 55 will provide increased capability on daily emergency operations by adding an additional response vehicle during times of heavy call volume as well provide assistance on major accidents.
- Director of Public Works and Engineering Ron Young advised the City Council that Tarrant Regional Water District (TRWD) has lifted the State 1 water restrictions, and advised that the current water storage capacity is at 97 percent. He added that TRWD does not anticipate implementing water restrictions for the upcoming summer.

- Director of Public Works and Engineering Young addressed the City Council regarding a Municipal Setting Designation (MSD) requested by Ball Street Joint Venture Towers of Grapevine for property located on the northeast corner of William D. Tate Avenue and Highway 114 in Grapevine. He advised that a resolution supporting the designation will be presented at the May 22, 2012, City Council meeting.

Cynthia Bishop, attorney and chemical engineer, representing the property owners, provided additional information related to the contamination, time frame of the occurrence, and testing of the site.

The City Council requested general information be provided at a later date regarding MSD's in general.

- Director of Public Works and Engineering Young presented a traffic update related to the North Tarrant Express construction at Westpark Way and State Highway 183. He advised that the two city monument signs at the intersection will need to be relocated due to construction.

Additionally, Director of Planning and Economic Development Collins advised of the overall access and parking opportunities for the commercial facilities located at the intersection.

- City Manager McKamie reported on the status of the Shadow Creek Apartments located at 311 South Industrial Boulevard.
- City Manager McKamie advised that car rental receipts for the month of May were up eight percent. The receipts represent rentals during the month of March 2012.
- City Manager McKamie presented an update regarding the Ash Lane construction, specifically as it relates to the emergency repair of the water and wastewater lines (Item No. 5). He advised that the estimated cost to replace the water lines is \$173,000 and \$277,000 for the replacement of the wastewater lines.
- City Manager McKamie reviewed the regular agenda items which included a brief presentation by Mary Jean Maloney, representing Atmos, regarding continued negotiations toward a settlement agreement between the Atmos Cities Steering Committee (ACSC) and Atmos Energy Corporation, Mid-Tex Division requested rate change (Item No. 3).

CLOSED SESSION

The City Council convened into closed session at 6:31 p.m. for deliberation regarding the following:

- Legal advice from the City Attorney as authorized by Section 551.071 related to:
 - Glade Parks

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

- o 1000 Central Drive, Bedford, Texas

Economic development incentives as authorized by Section 551.087 related to:

- o SH 183 at FM157

The City Council recessed closed session at 6:51 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
Assistant City Manager Chris Barker
City Attorney Wayne Olson
City Secretary Kim Sutter
Assistant to the City Secretary Holly Houston
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
Assistant Police Chief Bob Freeman
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
Assistant Director of Finance Jackie Theriot
Public Works Manager JT Ackerman
Finance Accountant II Diana Ayala
Computer Support Specialist II Brett Bennett
Senior Planner Stephen Cook
Police Technical Service Manager Gary Gregg
Police Captain Gary Landers
Facilities Attendant Jerald Lively
Human Resources Benefit Technician Anniece McKanna
Human Resources Generalist Debbie Moss
Finance Accountant II Alice Norwood
Risk/Human Resources Generalist Connie Scott-Ortiz
Human Resources Benefit Technician Zella Stierwalt

VISITORS

Sherri Browning
Shirley Daily
Loretta Doty
Linda Eilenfeldt
Iris Elliott

Barbara McClung
Eddie Price
Marshall Price
Carroll "Scotty" Scott
Jake Thomasson

Peggy Vandiver
Alyssa Walker
Sam Walker

And others as noted in the visitor register.

INVOCATION

Director of Finance Vicki Rodriguez gave the invocation.

PLEDGE OF ALLEGIANCE

Council Member Tim Stinneford led the pledge of allegiance.

ITEM NO. 1. PRESENTATION OF EMPLOYEE SERVICE PINS

Human Resources/Risk Administrator Carolyn Marshall introduced Human Resources Generalist Debbie Moss. Debbie was accompanied by her husband, DJ, daughter, Mia, and members of the Human Resources Department. Mayor Saleh presented Debbie with a service pin commemorating her five years of service with the City.

Finance Director Rodriguez introduced Assistant Director of Finance Jackie Theriot. Jackie was accompanied by her father, Mike Hood, mother, Diane Hood, and members of the Finance Department. Mayor Saleh presented Jackie with a service pin commemorating her five years of service with the City.

ITEM NO. 2. PRESENTATION OF PROCLAMATION

Council Member Glenn Porterfield presented a proclamation to Director of Public Works and Engineering Young and Public Works Manager JT Ackerman proclaiming, May 20 through 26, 2012, as National Public Works Week. (*City Secretary Note: This item was presented before Item No. 1*)

REGULAR AGENDA**ITEM NO. 3. APPROVED RESOLUTION NO. 12-1389**

Council Member Bynum motioned to approve Resolution No. 12-1389, denying Atmos Energy Corporation, Mid-Tex Division's requested rate change.

Mayor Pro Tem Mickan seconded the motion.

City Manager McKamie advised that on February 28, 2012, Resolution No. 12-1386 was approved to extend the March 6, 2012, effective date of Atmos Mid-Tex's proposed rate increase to allow the City and the Atmos Cities Steering Committee (ACSC) time to review

the rate filing package. ACSC and the Company have engaged in some settlement discussions but have not yet reached agreement. ACSC is hoping to achieve settlement with the Company in order to perpetuate the Rate Review Mechanism (RRM) process, and has recommended denial of the Company's proposed rate increase to facilitate further settlement discussions.

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. APPROVED RESOLUTION NO. 12-1390

Council Member Stinneford motioned to approve Resolution No. 12-1390, approving the acquisition of radio equipment and authorize the City Manager to execute a Lease-Purchase Agreement with Motorola Solutions, Inc. for the purchase of said equipment.

Council Member Martin seconded the motion.

City Manager McKamie stated the current trunked radio system must be replaced with a new digital radio system that will fulfill the needs of police, fire, and all city services as well as continuing radio interoperability with neighboring jurisdictions. Additionally, Euless and five other cities joined together to form the Northeast Tarrant County Radio Consortium (NETCO) and Euless's portion of the replacement of the infrastructure is one-sixth (1/6) of the total cost. The total cost of the lease-purchase is \$1,439,059.51.

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. 5. AUTHORIZED REPLACEMENT OF WATER AND SEWER UTILITIES ASSOCIATED WITH ASH LANE RECONSTRUCTION

Council Member Bynum motioned to authorize replacement of the water and sewer utilities associated with the Ash Lane reconstruction, finding that the repairs are necessary due to unforeseen damage to the public infrastructure and finding that the repairs are necessary to preserve the public health and to protect the safety of the city's residents.

Council Member Porterfield seconded the motion.

City Manager McKamie advised that the roadway reconstruction of Ash Lane has been delayed due to the condition of the aging water and wastewater lines, and stated that proceeding with the roadwork would likely cause further damage to the main line which is currently serving residents in this area. He stated that staff is seeking quotes and is

requesting authorization to proceed with the replacement of the water and wastewater lines along Ash Lane in order to preserve and protect the public health of the city's residents. Additionally, he advised that as a project participant, Tarrant County will pay up to half the cost of the project.

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. 6. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 11-06-SUP AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1955

Mayor Saleh opened the public hearing at 7:19 p.m.

Director of Planning and Economic Development Collins presented the case to the City Council, and advised that the applicant, Tom Kolko, is seeking a Specific Use Permit for an automotive general repair service in Community Business District (C-2) zoning to be located at 401 S. Industrial Boulevard, and operated under the name of Ten Minute Oil Change. Additionally, the Planning and Zoning Commission held a public hearing on April 17, 2012, and recommended approval of the Specific Use Permit with the following conditions:

- 1) Tied to the business owner, Mr. Riyad Hossainy / Farabi Investments;
- 2) Tied to the business name: Ten Minute Oil Change;
- 3) Traffic signalization of the intersection of the drive approach and S. Industrial Boulevard be designed, approved, and installed prior to the issuance of a Certificate of Occupancy;
- 4) No outdoor storage or display of vehicles will be permitted;
- 5) All work performed on the vehicles will be conducted interior to the building; and
- 6) Permitted for the period of one year to be renewed through the Specific Use Permit process.

The applicant and the owner were not present at the hearing.

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 Martin motioned to approve Ordinance No. 1955 for a request of a Specific Use Permit on Plaza on the Lake Addition, Block A, Lot 1, 401 S. Industrial Boulevard, for an automotive general repair service in Community Business District (C-2) zoning, 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. 7. APPROVED CITY COUNCIL MINUTES

Council Member Hogg motioned to approve the City Council minutes of the regular meeting of April 24, 2012.

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. 8. PUBLIC COMMENTS

There were no public comments.

ITEM NO. 9. REPORTS

Communications and Marketing Manager Betsy Deck was not present to give the Communications and Marketing Report.

City Attorney

No report given.

City Manager

No report given.

City Council

Mayor Saleh announced that the City of Euless will hold the City Council candidates election on Saturday, May 12, 2012, to elect Council Members to serve in Place 5 and Place 6:

Place 5
Glenn Porterfield
Jay Jenson
Bruce German

Place 6
Perry Bynum
Lorren Britton

ITEM NO. 17. ADJOURN

Mayor Saleh adjourned the meeting at 7:29 p.m.

APPROVED:

ATTEST:

Mary Lib Saleh
Mayor

Kim Sutter, TRMC
City Secretary