

**MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
Tuesday, September 11, 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, September 11, 2012, in the Precouncil Conference Room of City Hall, 201 North Ector Drive. Those present included Mayor Mary Lib Saleh, Mayor Pro Tem Perry Bynum, Council Members Tim Stinneford, Leon Hogg, Linda Martin, Donna Mickan, and Glenn Porterfield.

During the Precouncil meeting:

- Mayor Mary Lib Saleh announced that the Council of Governments (COG) will hold a public meeting on September 17, 2012, 6:30 p.m. at the Euless Public Library, and the North Tarrant Express Public Open House on September 19, 2012, 2 to 8 p.m. at the Hurst Conference Center. Additionally, she thanked Bill Golden and the Historical Preservation Committee for their efforts to establish and open the Euless Heritage Museum at the Ruth Millican Center.
- City Manager Gary McKamie announced the following:
 - Transiting from HOV to managed lanes will be discussed at the COG public meeting on September 17, 2012; and
 - Resignation of Travis Riffle from the Parks and Leisure Services Board.
- Internal Auditor Doug Burkham presented the annual internal audit summary, including how audits are formulated and conducted for departments. Additionally, he reported that he conducts audits related to the hotel occupancy tax, gas royalties, sales tax payments, contract compliance, and inventory.
- Deputy City Manager Loretta Getchell introduced Brad Jay, Partner, Weaver LLP.

Mr. Jay, accompanied by Adam McCain, reviewed the annual external audit process.
- Texas Star General Manager Glenda Hartsell-Shelton provided an update on Texas Star Memberships, including the addition of a new membership level (Silver Pass). Additionally, she advised that the Gold Star annual membership dues will be increased.

Council Member Tim Stinneford commented that the removal of the cart restriction related to holes 2 and 9 have increased the speed of play.
- Police Captain Gary Landers presented the code update related to residential and commercial code issues, including apartment inspections. Additionally, he advised the City Council of the number of inspections performed relating to Health Services.

City Manager McKamie advised that the status of electrical outages throughout the metroplex can be tracked from the Oncor website (Oncor.com).

- City Manager McKamie addressed the City Council regarding the requirement of the city to establish energy conservation goals, and file an annual report. He stated that a resolution will be presented to the City Council at the September 25, 2012, meeting for consideration.
- Deputy City Manager Getchell addressed the City Council regarding the water rate stabilization fund, and advised that a minute order has been included on the agenda for City Council consideration to increase the rebate for Fiscal Year 2013 from 10 cents to 12 cents per 1,000 gallons up to a maximum of 15,000 gallons for residential customers. As the rebate applies to residential consumers only, Ms. Getchell presented cost comparisons of commercial and residential users based on equal consumption. She noted that in the lowest usage levels, the tiered rates are more beneficial to residential users; however, with commercial users the usage is generally higher and the commercial flat rate is of more benefit.
- City Manager McKamie addressed the City Council regarding the Solid Waste and Recycling franchise agreements. He advised that the franchise agreements will be presented to the City Council for consideration at the September 25, 2012, meeting and the agreements require two readings with the second reading occurring on November 13, 2012.
- City Manager McKamie provided an update related to the expansion of Airport Freeway (SH 183). He advised that the Dallas district of the Texas Department of Transportation (TxDOT) released a Request For Qualifications (RFQ) for the portion of SH 183 from SH 161 to Interstate 35E in Irving. He stated that the first phase of construction will commence in late 2013. Additionally, he advised that city staff has remained in contact with TxDOT regarding the reconstruction of the portion of Airport Freeway (SH 183) west of FM 157.
- Director of Public Works and Engineering Ron Young advised that the Tarrant Regional Water District (TRWD) storage capacity is at 84 percent.
- Director of Public Works and Engineering Young provided a capital projects update, and advised that paving work has begun on Ash Lane, and the southern portion of Slaughter Lane has been paved and is expected to be completed by Tarrant County later in the week.
- City Manager McKamie reviewed the regular agenda items.

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
City Attorney Wayne 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
Assistant Police Chief Bob Freeman
Texas Star General Manager Glenda Hartsell-Shelton
Human Resources/Risk Administrator Carolyn Marshall
Fleet and Facility Administrator Kyle McAdams
Information Services Administrator Dan McLain
Assistant Director of Finance Jackie Theriot
Finance Accountant II Diana Ayala
Computer Support Specialist II Brett Bennett
Utility Billing Clerk Debra Burk
Internal Auditor Doug Burkham
Administration Executive Secretary Diana Cole
Senior Planner Stephen Cook
Web Designer Adam Eakins
Police Captain Gary Landers
Facilities Attendant Jerald Lively
Purchasing Manager Mike Lowry
Human Resources Benefit Technician Anniece McKanna
Texas Star Golf Course Receptionist Magen Morton
Finance Accountant II Alice Norwood
Finance Payroll Technician Mallory Rivera
Human Resources Benefit Technician Zella Stierwalt

VISITORS

M. Aram Azadpour	Shirley Daily	Randell Mickan
Sherri Browning	Darl Easton	Trevor Rivera
Paula Burkham	Linda Eilenfeldt	Carroll "Scotty" Scott
Lisa Bynum	Iris Elliott	Barney Snitz
Mark Compton	Joe Mapes	Peggy Vandiver

And others as noted in the visitor register.

INVOCATION

Police Chief Mike Brown gave the invocation.

PLEDGE OF ALLEGIANCE

Eules Police Department Honor Guard led the pledge of allegiance.

ITEM NO. 1. PRESENTATION OF EMPLOYEE SERVICE PINS

Finance Director Vicki Rodriguez introduced Facilities Attendant Jerald Lively. Jerald was accompanied by his wife, Kaye, and members of the Finance Department. Mayor Saleh presented Jerald with a service pin commemorating his 10 years of service with the City.

Deputy City Manager Getchell introduced Internal Auditor Doug Burkham. Doug was accompanied by his wife, Paula, and members of the Finance Department. Mayor Saleh presented Doug with a service pin commemorating his 10 years of service with the City.

City Manager McKamie introduced Deputy City Manager Loretta Getchell. Loretta was accompanied by members of the Finance Department. Mayor Saleh presented Loretta with a service pin commemorating her 15 years of service with the City.

ITEM NO. 2. PRESENTATION QUARTERLY POLICE DEPARTMENT UPDATE

Police Chief Brown presented the quarterly Police Department update for the quarter ending August 31, 2012, and reported on the average response times for priority one, two, three, and four calls, as well as statistics related to crimes against persons, and property crimes. Additionally, he reported on officers combined patrol time statistics and the addition of police personnel.

Mayor Pro Tem Bynum stated that the Police Department has experienced a decrease in "uncommitted time" and hopes the additional personnel will assist in allowing more time for routine patrols.

CONSENT AGENDA (items 3 through 7)

Council Member Stinneford motioned to approve the Consent Agenda items number 3 through 7.

Council Member Hogg seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 3 AUTHORIZED CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT

Authorized the City Manager to execute an Interlocal Agreement for continued participation in Fort Worth's Environmental Collection Center Household Hazardous Waste Program from October 1, 2012, through September 30, 2013. The estimated expenditure is \$30,000.

ITEM NO. 4. AUTHORIZED CITY MANAGER TO EXECUTE A RENEWAL AND AMENDMENT OF THE INTERLOCAL AGREEMENT WITH TARRANT COUNTY

Authorized the City Manager to execute a renewal and amendment of the Interlocal Agreement with Tarrant County for the partial funding of improvements for the widening of West Ash Lane from Aransas Drive to North Main Street.

ITEM NO. 5. RECEIVED VERIFICATION OF MAXIMUM IMPACT FEES FOR WATER AND SANITARY SEWER AND AUTHORIZED THE MAYOR TO CERTIFY COMPLIANCE TO THE ATTORNEY GENERAL

Received verification of maximum impact fees for water and sanitary sewer and authorized the Mayor to certify compliance to the Texas Attorney General that the impact fees of the City of Euless comply with state law.

ITEM NO. 6. APPROVED MINUTE ORDER APPROVING AN INCREASE IN THE WATER RATE STABILIZATION REBATE PROPOSED IN THE FY 2013 BUDGET

Approved minute order approving an increase in the water rate stabilization rebate proposed in the Fiscal Year 2013 budget for residential customers from 10 cents to 12 cents per 1,000 gallons up to a maximum 15,000 gallons.

ITEM NO. 7. APPROVED CITY COUNCIL MINUTES

Approved City Council minutes of the regular meeting of August 28, 2012, and the special called meeting of September 4, 2012.

REGULAR AGENDA

ITEM NO. 8. APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1968

Council Member Martin motioned to approve the first and final reading of Ordinance No. 1968, adopting an Ad Valorem Tax Rate for 2012 of \$0.4700 per \$100 valuation which is effectively a 3.24 percent increase in the tax rate.

Council Member Martin stated that this is the sixth year that the tax rate has remained at \$0.4700 per \$100 valuation, but because additional revenues are generated, the item is required to be presented in this manner.

Mayor Pro Tem Bynum seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 9. APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1969

Council Member Hogg motioned to approve the first and final reading of Ordinance No. 1969, adopting the Tax Roll for 2012.

Mayor Pro Tem Bynum seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 10. APPROVED REQUEST FOR A TEMPORARY USE PERMIT NO. 12-07-CC

Council Member Hogg motioned to approve Temporary Use Permit No. 12-07-CC for the Greek Food Festival to be located on Alexander and Cullum Subdivision, Lot 6R and Lot 7R, 303 Cullum Drive, for three (3) consecutive days beginning October 12, 2012, from 11:00 a.m. to 10:00 p.m. continuing on October 13, 2012, from 11:00 a.m. to 10:00 p.m. and concluding on October 14, 2012, from 11:00 a.m. to 3:00 p.m.

Council Member Stinneford seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 11. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 12-10-SUP AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1967

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

Director of Planning and Economic Development Collins presented the case to the City Council, and advised that the applicant, the City of Euless, is seeking a Specific Use Permit for Recreational Use and Aquatics Center in Single Family Detached Dwelling District (R-1) zoning to be located on Midway City Park Addition, Block A, Lot 1, 300 Midway Drive. The City of Euless is proposing an indoor and outdoor aquatic center to be constructed within Midway Park and adjacent to the Euless Family Life Center to meet the recreational and therapeutic needs of Euless residents. The proposed indoor pool structure will encompass approximately 8,000 square feet with at least 3,500 square feet of surface water. Additionally, the Planning and Zoning Commission held a public hearing on September 4, 2012, and recommended approval of the Specific Use Permit.

Director of Parks and Community Services Ray McDonald provided survey results of Euless residents showing that an aquatic facility was desired. Additionally he provided examples of the proposed design components for the aquatic facility.

Mayor Saleh asked to hear from any proponents followed by opponents of the case. There being none, Mayor Saleh closed the public hearing at 7:37 p.m.

Mayor Pro Tem Bynum motioned to approve Ordinance No. 1967 for a request for a Specific Use Permit in the Midway City Park Addition, Block A, Lot 1 for Recreational Use and Aquatics Center in Single Family Detached Dwelling District (R-1) zoning at 300 Midway Drive, as recommended by the Planning and Zoning Commission.

Council Member Martin seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 12. PUBLIC COMMENTS

At the request of Mayor Saleh, City Attorney Wayne Olson reviewed the rules of procedures related to the public comment portion of the agenda.

Joe Mapes, 504 N. Main Street, Euless, asked if the public could provide comments related to consent agenda items prior to the vote. Additionally, he questioned the effectiveness of the water rates, specifically related to the rebates offered to residents and not commercial businesses.

City Attorney Olson responded that any Council Member may remove an item from the consent agenda for discussion.

M. Aram Azadpour, P.O. Box 2644, Grapevine, addressed the City Council regarding three letters to the City of Euless dated April 10, 2010, April 26, 2010, and February 16, 2011.

ITEM NO. 13. REPORTS

City Attorney

No report given.

City Manager

No report given.

City Council

Mayor Saleh thanked everyone who attended the Grand Opening of the Eules Heritage Museum at the Ruth Millican Center on September 18, 2012, and advised that the museum will be open to the public the second Saturday of each month.

ITEM NO. 14. ADJOURN

Mayor Saleh adjourned the meeting at 7:50 p.m.

APPROVED:

ATTEST:

Mary Lib Saleh
Mayor

Kim Sutter, TRMC
City Secretary