

**MINUTES OF A REGULAR MEETING  
OF THE  
EULESS CITY COUNCIL  
Tuesday, September 25, 2012**

A regular meeting of the Euless City Council was called to order by Mayor Pro Tem Perry Bynum at 4:00 p.m. on Tuesday, September 25, 2012, in the Precouncil Conference Room of City Hall, 201 North Ector Drive. Those present included Mayor Pro Tem Perry Bynum, Council Members Tim Stinneford, Leon Hogg, Linda Martin, Donna Mickan, and Glenn Porterfield. Mayor Mary Lib Saleh was not present due to a scheduled absence.

During the Precouncil meeting:

- Council Member Tim Stinneford announced that he attended the Euless Citizens Police Academy Alumni Association (ECPAAA) fundraiser BBQ held on September 22, 2012, and stated that it was a success.
- Mayor Pro Tem Bynum announced that he and his wife, Lisa, participated in the Grapefest Mayoral GrapeStomp competition on September 15, 2012, and was awarded the "Cleanest Feet" award.
- City Manager Gary McKamie announced the following:
  - National Night Out, October 2, 2012;
    - City-wide spraying for mosquito's will be conducted two days prior to event
  - Fire and Police Open Houses, October 6, 2012, 10 a.m. to 2 p.m.;
  - Household Hazardous Material Collection Day (Crud Day), October 13, 2012, 9 a.m. to 11 a.m.;
  - Catholic Charities took over operations of the Northeast Transportation Service (NETS) van service on September 1, 2012; and
  - Fifth Circuit Court of Appeals opinion related to Open Meetings Act.

Director of Planning and Economic Development Mike Collins introduced Tom Winn, Development Manager.

- Tim Philpot, representing 6 Stones Board of Directors and head of the 6 Stones Resource Development Committee, addressed the City Council regarding the upcoming Sporting Clay Shooting fundraiser to be held at the Alpine Shooting Range in Fort Worth, on October 5, 2012.
- Assistant Director of Finance Jackie Theriot provided a financial report for the period ending August 31, 2012.
- City Manager McKamie addressed the City Council regarding a proposal to establish a Tongan community group. The City would take a leadership role and assist the group, made up of representatives from each of the 9 Tongan churches in the community, to address the needs of the community. Additionally, he stated that Ofa Mary Faiva-Siale would serve as the city staff liaison.

Council Members Tim Stinneford and Linda Martin agreed to serve as liaisons on behalf of the City Council.

- Fire Chief Wes Rhodes presented the fire department update related to the Northeast Fire Department Association (NEFDA) Swift Water Rescue Team, including the use of grant funding to purchase additional equipment to be shared with member cities.
- Director of Planning and Economic Development Collins presented the development update, including residential and commercial developments.
- City Manager McKamie addressed the City Council regarding amendments to the Unified Development Code (UDC) that would allow staff, within specific parameters, to grant variances based on extenuating circumstances.

Director of Planning and Economic Development Collins addressed the City Council regarding amendments to the UDC related to non-depository financial institutions and tattoo studios.

It was the consensus of the City Council to allow staff to continue with evaluating the proposed amendments and bring forward to the Council for consideration at a future meeting.

- City Manager McKamie addressed the City Council regarding the board and commission appointment process, and requested feedback from Council members related to the interview process.
- Director of Planning and Economic Development Collins provided an update related to the proposed single family development, The Dominion at RiverWalk, located on the northwest corner of Airport Freeway (SH 183) and State Highway 360 (SH 360).
- City Manager McKamie addressed the City Council regarding the formation of a business group. The group would include Euless businesses, and the purpose of the group would be to bring business perspectives to the City regarding various topics.

Council Members Tim Stinneford and Glenn Porterfield agreed to serve as liaisons on behalf of the City Council.

- City Manager McKamie reviewed the regular agenda items.
- Director of Public Works and Engineering Ron Young advised that the Tarrant Regional Water District (TRWD) storage capacity is at 83 percent. Additionally, he stated that if the conservation pool reached 75 percent, Stage 1 watering restrictions would be activated.
- Director of Public Works and Engineering Young provided an update regarding the following capital projects:
  - Ash Lane and Slaughter Lane construction;
  - Harwood Road utility relocation and sidewalk repair;
  - Bid opening for ADA ramp project;

- Update on reclaimed water line;
- 2012 waste water contracts;
- Millican well site repair;
- Parks at Texas Star parking lot construction;
- Fuller property purchase;
- Texas Star Cove Addition, Fort Worth; and,
- Aquatics Center update.

## **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 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  
Director of Public Works and Engineering Ron Young  
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  
Senior Planner Stephen Cook  
Planning and Economic Development Administrative Secretary Alicia Davenport  
Computer Support Specialist II Jake Dilliplane  
Planning and Economic Development Secretary Deborah Howard  
Inspector II Jeff Lee  
Texas Star Golf Course Receptionist Magen Morton  
Senior Inspector Jim Moy  
Development Manager Tom Winn  
Police Sergeant Brandon Zachary

### **VISITORS**

Lisa Bynum	Linda Eilenfeldt	Robert Medigovich
Loretta Doty	Iris Elliott	Randell Mickan
Chelsea Edwards	Jeri Harwell	Joseph Simmons
Kim Edwards	Don Horton	Linda Simmons
Mont Edwards	David Johnson	Faye Stinneford
Seth Edwards	Jerrie Keller	Peggy Vandiver

And others as noted in the visitor register.

### **INVOCATION**

Council Member Glenn Porterfield 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 OCTOBER**

Director of Planning and Economic Development Mike Collins introduced Senior Inspector Jim Moy. Jim was accompanied by his daughter, Kim, son-in-law, Mont, granddaughter, Chelsea, grandson, Seth, friend, Cory, and members of the Planning and Development Department.

Mayor Pro Tem Bynum presented Jim with a plaque and certificate commemorating his selection as employee of the month for October 2012.

### **CONSENT AGENDA (items 2 and 3)**

Council Member Stinneford motioned to approve the Consent Agenda items number 2 and 3.

Council Member Martin seconded the motion.

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

Nays: None

Mayor Pro Tem Bynum declared the motion carried.

### **ITEM NO. 2. APPROVED RESOLUTION NO. 12-1396**

Approved Resolution No. 12-1396, establishing energy conservation goals as required by the Texas Health and Safety Code, Section 388.005.

### **ITEM NO. 3. APPROVED CITY COUNCIL MINUTES**

Approved City Council minutes of the regular meeting of September 11, 2012.

### **REGULAR AGENDA**

### **ITEM NO. 4. HELD PUBLIC HEARING AND APPROVED FIRST READING OF ORDINANCE NO. 1970**

Mayor Pro Tem Bynum opened the public hearing at 7:08 p.m.

Assistant City Manager Chris Barker presented the item to the City Council, and advised that the City's current franchise agreement with Allied Waste Services of Fort Worth, L.L.C. (AWS), is scheduled to expire on February 28, 2013. The City has negotiated with AWS for the renewal of the franchise agreement for an additional five year period, beginning March 1, 2013, and ending February 28, 2018. Additionally, he stated that AWS has agreed to continue to provide solid waste collection and disposal services with an annual fixed rate increase of three percent for the term of the agreement. The second reading of the ordinance will be presented to the City Council at the November 13, 2012, meeting.

Jeri Harwell, Municipal Services Manager, representing AWS, was present to address any questions.

Mayor Pro Tem Bynum asked to hear from any proponents followed by opponents of the case. There being none, Mayor Pro Tem Bynum closed the public hearing at 7:11 p.m.

Council Member Hogg motioned to approve the first reading of Ordinance No. 1970, granting a franchise to Allied Waste Services of Fort Worth, L.L.C., for solid waste services for the collection of residential and commercial solid waste within the City of Euless.

Council Member Stinneford seconded the motion.

Council Member Stinneford asked if there was a provision in the agreement to allow fuel surcharges.

Assistant City Manager Barker confirmed that there is no provision for fuel surcharges.

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

Nays: None

Mayor Pro Tem Bynum declared the motion carried.

**ITEM NO. 5. HELD PUBLIC HEARING AND APPROVED FIRST READING OF ORDINANCE NO. 1971**

Mayor Pro Tem Bynum opened the public hearing at 7:12 p.m.

Assistant City Manager Barker presented the item to the City Council, and advised that the City's current franchise agreement with Community Waste Disposal, L.P. (CWD), is scheduled to expire on February 28, 2013. The City has negotiated with CWD for the renewal of the franchise agreement for an additional five year period, beginning March 1, 2013, and ending February 28, 2018. Additionally, he stated an a-la-"cart" service is being introduced which will allow residential customers to choose from three types of recycling containers: blue bag, 18 gallon bin, or a 65 gallon cart. CWD has agreed to continue to provide recycling collection and processing services with an annual fixed rate increase of three percent for the term of the agreement. The second reading of the ordinance will be presented to the City Council at the November 13, 2012, meeting.

Robert Medigovich, Municipal Coordinator, representing CWD, was present to address any questions.

Mayor Pro Tem Bynum asked to hear from any proponents followed by opponents of the case. There being none, Mayor Pro Tem Bynum closed the public hearing at 7:15 p.m.

Council Member Porterfield motioned to approve the first reading of Ordinance No. 1971, granting a Franchise to Community Waste Disposal, L.P., for recycling services for the collection of residential and apartment recyclables within the City of Euless.

Council Member Martin seconded the motion.

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

Nays: None

Mayor Pro Tem Bynum declared the motion carried.

**ITEM NO. 6. APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1972**

Assistant City Manager Barker presented the item to the City Council, and advised that the ordinance outlines the manner and time allowable for residential container placement for solid waste and recyclable materials, customer rules and regulations, the addition of a backdoor service (with an additional charge) for residents over 65 or with a disability. The ordinance would set a base of blue bag service, with an option of bin or cart service, and amends Section 30-16 "Solid Waste and Recycling Collection", to provide for the fees for the collection of solid waste and recycling materials. Additionally, he stated the ordinance would take effect March 1, 2013, and that the City will begin notifying citizens by direct mail outs, town hall meetings, and through the City web site of the upcoming changes. He noted that if a resident chooses to use a bin or cart, the container would have to be issued by CWD.

Council Member Hogg motioned to approve Ordinance No. 1972, amending the Code of Ordinances of the City of Euless by revising Chapter 66, "Solid Waste" to revise the regulation pertaining to the collection of solid waste and recyclable materials and amending Chapter 30, "Fees", Section 30-16, "Solid Waste and Recycling Collection" to revise the fees related to the collection of solid waste and recycling materials.

Council Member Martin seconded the motion.

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

Nays: None

Mayor Pro Tem Bynum declared the motion carried.

City Manager McKamie recognized Assistant City Manager Barker, Jeri Harwell with AWS, and Robert Medigovich with CWD for their involvement and dedication related to the renewal

of the franchise agreements. Additionally, he noted that the City of Euless has the lowest combined solid waste and recycling rates in the area.

**ITEM NO. 7. APPROVED REQUEST FOR A TEMPORARY USE PERMIT NO. 12-10-CC**

Council Member Porterfield motioned to approve Temporary Use Permit No. 12-10-CC for Mosier Valley Eagles Pathfinder Club Fundraiser Sale to be located on Puente Del Oeste, Tract 5R1, 701 S. Industrial Boulevard for one (1) day on September 30, 2012, from 8:00 a.m. to 5:30 p.m.

Council Member Mickan seconded the motion.

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

Nays: None

Mayor Pro Tem Bynum declared the motion carried.

Joseph Simmons, 4800 Panola Avenue, Fort Worth, and representing the applicant, expressed his appreciation to the City Council for approving the Temporary Use Permit.

**ITEM NO. 8. PUBLIC COMMENTS**

There were no public comments.

**ITEM NO. 9. REPORTS**

Texas Star General Manager Glenda Hartsell-Shelton provided a review for Texas Star Golf Course's fifteen years of success, which included photographs of the ground breaking, golf course greens, events, trade shows, remodeling, tournaments, and staff. Additionally, she announced that Resident's Day will be held on September 26, 2012.

**City Attorney**

No report given.

**City Manager**

No report given.

**City Council**

Mayor Pro Tem Bynum announced the following events:

- National Night Out, October 2, 2012;
- Fire and Police Open Houses, October 6, 2012, 10 a.m. to 2 p.m.; and,
- Household Hazardous Material Collection Day (Crud Day), October 13, 2012, 9 a.m. to 11 a.m.

**ITEM NO. 10.        ADJOURN**

Mayor Pro Tem Bynum adjourned the meeting at 7:39 p.m.

**APPROVED:**

**ATTEST:**

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Mary Lib Saleh  
Mayor

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Kim Sutter, TRMC  
City Secretary