

**MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
Tuesday, November 13, 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, November 13, 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:

- Council Member Leon Hogg announced that he attended the International Council of Shopping Centers (ICSC) Conference held in Dallas November 7-8, 2012.
- Mayor Pro Tem Perry Bynum announced that he attended the Chamber and Cities Round Table meeting in Grapevine on October 29, 2012, to discuss the best practices of chambers and cities.
- Council Member Glenn Porterfield announced that he and Mayor Mary Lib Saleh attended the Friends of DFW Airport luncheon on November 1, 2012.
- Mayor Saleh announced that she attended U.S. Congressman Kenny Marchant's Veterans Fair at the Euless Family Life Center on November 3, 2012.
- City Manager Gary McKamie announced the following:
 - Acknowledgment of Veteran's Day;
 - Resignation of Senior Library/Youth Service Coordinator Rachel Feltenberger;
 - Letter to North Tarrant Express (NTE) for reconstruction of Segment 2E (portion of State Highway 183 in Euless); and
 - Intermedix's security breach.
- Director of Public Works and Engineering Ron Young announced the retirement of Engineering Technician Buddy Hartman and introduced Graduate Engineer Jeff Pearson.
- Police Captain Gary Landers presented the code update related to residential and commercial code issues, including apartment inspections.

City Manager McKamie reported on the status of the Shadow Creek Apartments located at 311 South Industrial Boulevard.
- Court Manager Teresa Alexander presented the court update related to technology upgrades. She reported on the implementation of Laserfiche, an electronic content management system, and the Interactive Voice Response (IVR) system.

City Manager McKamie announced the retirement of Deputy Court Clerk Roslyn Moore, and advised that Municipal Court Judge Lacy Britten is scheduled for an annual review with the City Council at the November 27, 2012, meeting during closed session.

- Director of Planning and Economic Development Mike Collins addressed the City Council regarding proposed amendments to the Unified Development Code (UDC) that would allow the City Manager, within specific parameters, to approve exceptions to accessory building standards (carports) based on extenuating circumstances. He advised that the proposed amendments will be presented at the December 11, 2012, City Council meeting.
- City Manager McKamie and Parks Special Projects Coordinator Ofa "Mary" Faiva-Siale provided an update to the City Council regarding establishment of the 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, a draft of the proposed bylaws for the Eules Tongan Committee was provided to the City Council.
- Director of Public Works and Engineering Young presented the water update. He advised that the Tarrant Regional Water District (TRWD) storage capacity is at 80 percent. He stated that if the conservation pool reached 75 percent, Stage 1 watering restrictions would be activated.

Additionally, he addressed test results related to water quality within the City and communication with the Texas Commission on Environmental Quality (TCEQ).

- Finance Director Vicki Rodriguez provided a financial update for the period ending September 30, 2012.
- Director of Parks and Community Services Ray McDonald presented the initial layout of the design for the Aquatics Center to be located at the Eules Family Life Center.
- Director of Parks and Community Services McDonald provided an update related to the Christmas Parade to be held on Saturday, December 1, 2012.
- City Manager McKamie advised that city offices will be closed November 22-23, 2012, for the Thanksgiving holiday. Additionally, the November and December closure calendar for the Eules Family Life Center, Senior Center, and Texas Star Golf Course were provided to the City Council.
- City Manager McKamie reviewed the regular agenda items and announced that Suzanne Hendrickson will join the City staff as Parks Recreation Superintendent.

Marketing/Communications Manager Betsy Deck discussed the various notifications that will be provided to citizens related to the upcoming changes to solid waste and recycling collection. (Item No. 13 and Item No. 14).

CLOSED SESSION

The Closed Session was not held.

Concerning personnel matters as authorized by Section 551.074 related to of the Texas Government Code related to:

- Planning and Zoning Commission, Zoning Board of Adjustment, Crime Control and Prevention District Board, and Civil Service Commission Appointments

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
Finance Director Vicki Rodriguez
Director of Public Works and Engineering Ron Young
Marketing/Communications Manager Betsy Deck
Assistant Police Chief Bob Freeman
Library Administrator Kate Lyon
Fleet and Facility Administrator Kyle McAdams
Information Services Administrator Dan McLain
Computer Support Specialist II Brett Bennett
Fire Lieutenant Chanc Bennett
Firefighter II Dustin Benton
Fire Battalion Chief Rick Clark
Senior Planner Stephen Cook
Firefighter II James Cowger
Firefighter II Joel Daniel
Facilities Supervisor T. J. Donoghue
Police Captain Steve Eskew
Fire Inspector II Vernon Gilmore
Firefighter II Jerad Gomez
Firefighter II Jarrod Goodman
Senior Police Officer Jacob Hansen
Firefighter II Brandon Herron
Water Distribution Foreman Herby Joseph

Firefighter Driver Ken Kelly
Police Captain Steve Kockos
Police Captain Gary Landers
Firefighter Holt Markum
Wastewater Foreman Terry McGahey
Human Resources Benefit Technician Anniece McKanna
Firefighter Driver Michael Parks
Firefighter Driver Tommy Rush
Fire Battalion Chief Darrell Rutledge
Firefighter Aaron Schmidt
Firefighter II Brad Schupbach
Public Service Officer Sharon Shiflet-White
Fire Lieutenant Brad Smith
Fire Marshal Paul Smith
Parks Manager Randy Smith
Public Works Foreman Kenny Spargur
Parks Field Tech III Cary Stevenson
Firefighter II Chris Sutterfield
Firefighter II Michael Van Pelt
Water Utilities Superintendent Paul Wrzesinski

VISITORS

Susan Donoghue	Christina Herriage	Krystalene Spargur
Iris Elliott	Skyler Herriage	Jeremy Tompkins
Blake Hansen	Janet Joseph	Peggy Vandiver
Jacob Hansen	Jerrie Keller	Rick White
Janice Hansen	Carlema McGahey	Sheri Wood
Jeri Harwell	Randell Mickan	

And others as noted in the visitor register.

INVOCATION

Director of Public Works and Engineering Young gave the invocation.

PLEDGE OF ALLEGIANCE

Council Member Hogg led the pledge of allegiance.

ITEM NO. 1. PRESENTATION OF EMPLOYEE SERVICE PINS

Police Chief Mike Brown introduced Senior Police Officer Jacob Hansen. Jacob was accompanied by his wife, Janice, sons, Jacob and Blake, and members of the Police Department. Council Member Martin presented Jacob with a service pin commemorating his five years of service with the City.

Fleet and Facility Administrator Kyle McAdams introduced Facilities Supervisor T. J. Donoghue. T.J. was accompanied by his wife, Susan. Council Member Stinneford presented T.J. with a service pin commemorating his 10 years of service with the City.

Police Chief Brown introduced Public Service Officer Sharon Shiflet-White. Sharon was accompanied by her husband, Rick, and members of the Police Department. Council Member Martin presented Sharon with a service pin commemorating her 10 years of service with the City.

Fire Chief Wes Rhodes introduced Fire Lieutenant Brad Smith. Brad was accompanied by members of the Fire Department. Council Member Mickan presented Brad with a service pin commemorating his 15 years of service with the City.

Director of Public Works and Engineering Young introduced Water Distribution Foreman Herby Joseph. Herby was accompanied by his wife, Janet, and members of the Public Works Department. Council Member Porterfield presented Herby with a service pin commemorating his 20 years of service with the City.

Director of Public Works and Engineering Young introduced Public Works Foreman Kenny Spargur. Kenny was accompanied by his fiancé, Hazel, daughter, Krystalene, and members of the Public Works Department. Council Member Porterfield presented Kenny with a service pin commemorating his 20 years of service with the City.

Director of Public Works and Engineering Young introduced Water Utilities Superintendent Paul Wrzesinski. Paul was accompanied by members of the Public Works Department. Council Member Porterfield presented Paul with a service pin commemorating his 25 years of service with the City.

Director of Public Works and Engineering Young introduced Wastewater Foreman Terry McGahey. Terry was accompanied by his wife, Carlema, and members of the Public Works Department. Council Member Porterfield presented Terry with a service pin commemorating his 30 years of service with the City.

Director of Parks and Community Services Ray McDonald introduced Parks Field Tech III Cary Stevenson. Cary was accompanied by and members of the Parks Department. Council Member Hogg presented Cary with a service pin commemorating his 30 years of service with the City.

ITEM NO. 2. PRESENTATION OF CERTIFICATES TO FIRE PREVENTION POSTER WINNERS

Fire Marshal Paul Smith gave a brief history on the Fire Safety Poster Contest and introduced the grand prize winners for each grade level:

- First Grade: Avery Rejkowski (Bear Creek Elementary)
- Second Grade: Arsema Wondemagegn (South Eules Elementary)
- Third Grade: Piper Daniel (Wilshire Elementary)
- Fourth Grade: Sarah Hatch (Bear Creek Elementary)
- Fifth Grade: T'Aurelia Ingram (Bear Creek Elementary)
- Sixth Grade: Vanessa Tinajero (Oakwood Terrace Elementary)

Mayor Saleh, Fire Chief Rhodes, and Fire Inspector II Vernon Gilmore presented each grand prize winner with a certificate, their poster, and a goodie bag.

ITEM NO. 3. QUARTERLY POLICE DEPARTMENT UPDATE

Police Chief Brown presented the quarterly Police Department update for the quarter ending October 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, the addition of police personnel, Donald Eggleston, National Night Out, and the Police Department Open House. *(City Secretary Note: This item was presented after Item No. 18)*

CONSENT AGENDA (items 4 through 12)

Council Member Porterfield motioned to approve the Consent Agenda items number 4 through 12.

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. 4. AUTHORIZED MAYOR TO EXECUTE A PERMANENT SANITARY SEWER EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT

Authorized the Mayor to execute a permanent sanitary sewer easement and a temporary construction easement for the Trinity River Authority's (TRA) rehabilitation of an existing sanitary sewer main south of State Highway 183 (SH 183) and adjacent to Wilshire Park (Cyclone Branch).

ITEM NO. 5. AUTHORIZED CITY MANAGER TO EXECUTE A CONTRACT EXTENSION

Authorized the City Manager to execute a contract extension with Office Depot for an additional one (1) year period for the purchase of office supplies through the National Intergovernmental Purchasing Alliance Company (National IPA). The annual estimated expenditure is \$91,000.

ITEM NO. 6. AUTHORIZED THE PURCHASE OF FOUR (4) POLICE PATROL SEDANS

Authorized the purchase of four (4) police patrol sedans for use at the Police Department from Sam Pack's Five Star Ford, Carrollton, Texas through the Tarrant County Cooperative Purchasing Contract. The estimated expenditure is \$112,936.

ITEM NO. 7. AUTHORIZED THE PURCHASE OF A FIRE DEPARTMENT RAPID RESPONSE VEHICLE (SQUAD)

Authorized the purchase of a fire department Rapid Response Vehicle (squad) from Siddons-Martin Emergency Group, Denton, Texas, an authorized dealer for Pierce Manufacturing, Appleton, Wisconsin through the Buy Board cooperative purchasing program. The estimated expenditure is \$152,843.

ITEM NO. 8. AUTHORIZED THE PURCHASE OF FOUR (4) HEART MONITORS/DEFIBRILLATORS

Authorized the purchase of four (4) heart monitors/defibrillators from Physio-Control, Inc., Redmond, Washington. The estimated expenditure is \$149,931.40.

ITEM NO. 9. AUTHORIZED THE PURCHASE OF ONE (1) ASPHALT CRACK SEAL APPLICATOR

Authorized the purchase of one (1) Crafcoc model SS125DC asphalt crack seal applicator from Crafcoc Inc., Chandler, Arizona, through the Houston-Galveston Area Cooperative (HGAC) purchasing program. The estimated expenditure is \$51,037.26.

ITEM NO. 10. AWARDED BID NO. 002-13

Awarded Bid No. 002-13 for a construction contract to William J. Schultz Inc. dba Circle C Construction for the replacement of the sanitary sewer mains in portions of the Green Hills Park and Midway Park Additions (portions of Crane, Blanco, and Johns Drives) in the amount of \$318,140, and authorized the City Manager to enter into a contract with William J. Schultz Inc. dba Circle C Construction.

ITEM NO. 11. APPROVED RESOLUTION NO. 12-1398

Approved Resolution No. 12-1398, delegating authority to determine contracting and delivery procedures for construction projects to the City Manager.

ITEM NO. 12. APPROVED CITY COUNCIL MINUTES

Approved City Council minutes of the regular meeting of October 23, 2012.

REGULAR AGENDA**ITEM NO. 13. APPROVED SECOND AND FINAL READING OF ORDINANCE NO. 1970**

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 first reading of the ordinance was presented to the City Council on September 25, 2012.

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

Council Member Stinneford motioned to approve 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 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. 14. APPROVED SECOND AND FINAL READING OF ORDINANCE NO. 1971

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 reviewed the rates and 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 first reading of the ordinance was presented to the City Council on September 25, 2012.

Mayor Pro Tem Bynum motioned to approve 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 Porterfield 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. 15. APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1975

Director of Planning and Economic Development Collins presented the item to the City Council, and advised that the proposed modifications to the Euless Minimum Housing Code would provide additional definitions to further clarify how the daily operations of the Apartment Inspection Program are carried out and to reflect that responsibility to implement the program lies with the Code Compliance Division. The proposed ordinance would revise

language within Chapter 30, "Fees", to clarify the types of inspection for which fees are collected.

Council Member Stinneford motioned to approve Ordinance No. 1975, amending Chapter 14, "Buildings and Building Regulations", of the Code of Ordinances, by amending Article X, "Euleless Minimum Housing Code", governing the use, occupancy, management, operation and maintenance of multi-family dwelling complexes within the city and amending Chapter 30, "Fees", Section 30-42, "Minimum housing licensing and related fees".

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. 16. HELD PUBLIC HEARING AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1977

Mayor Saleh opened the public hearing at 7:45 p.m.

Director of Planning and Economic Development Collins presented the item to the City Council, and advised that the proposed modifications to the Unified Development Code will provide specific definitions for tattoo and/or body modification studios, establish locations for those uses to be permitted in and to create conditions in which the uses must comply in order to be permitted. Additionally, the Planning and Zoning Commission held a public hearing on November 6, 2012, and recommended approval of the ordinance.

Mayor Saleh asked to hear from any proponents followed by opponents of the case. There being none, Mayor Saleh closed the public hearing at 7:48 p.m.

Council Member Martin motioned to approve Ordinance No. 1977, amending Chapter 84, "Unified Development Code", of the Code of Ordinances, by amending Article I, "General Provisions", Section 84-7, "Definitions and word usage" by providing a definition for tattoo and/or body modification studios; amending Article IV, "Zoning District Regulations", Section 84-84, "Permitted uses table" and Section 84-85, "Special conditions by use type".

Council Member Mickan 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. 17. HELD PUBLIC HEARING AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1978

Mayor Saleh opened the public hearing at 7:48 p.m.

Director of Planning and Economic Development Collins presented the item to the City Council, and advised that the proposed modifications to the Unified Development Code will provide specific definitions for non-depository financial institutions, establish locations for those uses to be permitted in and to identify conditions in which the uses must comply in order to be permitted. Additionally, the Planning and Zoning Commission held a public hearing on November 6, 2012, and recommended approval of the ordinance.

Mayor Saleh asked to hear from any proponents followed by opponents of the case. There being none, Mayor Saleh closed the public hearing at 7:51 p.m.

Council Member Hogg motioned to approve Ordinance No. 1978, amending Chapter 84, "Unified Development Code", of the Code of Ordinances, by amending Article I, "General Provisions", Section 84-7, "Definitions and word usage" by providing a definition for non-depository financial institutions; amending Article IV, "Zoning District Regulations", Section 84-84, "Permitted uses table" and Section 84-85, "Special conditions by use type".

Council Member Mickan 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. 18. APPROVED BOARD AND COMMISSION APPOINTMENTS

Mayor Pro Tem Bynum motioned to approve the following appointments to the various boards and commissions:

<u>BOARD/COMMISSION</u>	<u>NAME</u>	<u>PLACE</u>	<u>TERM EXPIRES</u>
ANIMAL SHELTER	Gayla Maas, DVM		
ADVISORY BOARD	Michelle Watson		
CIVIL SERVICE	Bobby Baker	3	12/31/2015
COMMISSION	John Diethloff	Alt 1	12/31/2014
HISTORICAL	Bill Golden	Chair for 2013	
PRESERVATION	Barbara Collier	Vice Chair for	
COMMITTEE	Norma Keplinger	2013	

INDUSTRIAL	Mary Lib Saleh	1	12/31/2014
DEVELOPMENT	Glenn Porterfield	2	12/31/2014
AUTHORITY	Tim Stinneford	3	12/31/2014
	Leon Hogg	4	12/31/2014
	Perry Bynum	5	12/31/2014
	Donna Mickan	6	12/31/2014
	Linda Martin	7	12/31/2014
LIBRARY BOARD	Marcia Brown	2	12/31/2014
	Christopher McAllister	4	12/31/2014
	Barney Snitz	5	12/31/2014
	Allan Gibbs	Alt 1	12/31/2014
	Loretta Doty	Alt 2	12/31/2014
PARKS & LEISURE	Eric Owens	1	12/31/2014
SERVICES	Carroll Scott	4	12/31/2014
	Darrel Knobloch	5	12/31/2014
	Tiffany Smith	6	12/31/2013
	Carl Miller	Alt. 1	12/31/2014
	Steve Doty	Alt. 2	12/31/2014
PLANNING & ZONING	Richard McNeese	4	12/31/2014
COMMISSION	Jeremy Tompkins	5	12/31/2014
	Troy Mennis	6	12/31/2014
	David Brown	7	12/31/2014
TEEN COURT	Warren Wilson	1	12/31/2014
ADVISORY BOARD	Julie Davis	Alt 2	12/31/2014
ZONING BOARD OF	Harry Zimmer	3	12/31/2014
ADJUSTMENT	Ruby Anne Crites	4	12/31/2014
	Steven Ellis	5	12/31/2014
CITY HEALTH	Robert Tafel, M.D.		12/31/2014
AUTHORITY			

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. 19. PUBLIC COMMENTS

There were no public comments.

ITEM NO. 20. REPORTS

City Attorney

City Attorney Wayne Olson advised that his law firm will have a booth at the 100th Annual Texas Municipal League Conference and Exhibition in Grapevine, November 13-16, 2012.

City Manager

No report given.

City Council

No report given.

ITEM NO. 21. ADJOURN

Mayor Saleh adjourned the meeting at 8:07 p.m.

APPROVED:

ATTEST:

Mary Lib Saleh
Mayor

Kim Sutter, TRMC
City Secretary