

**MINUTES OF A REGULAR MEETING  
OF THE  
EULESS CITY COUNCIL  
Tuesday, April 9, 2013**

A regular meeting of the Euless City Council was called to order by Mayor Mary Lib Saleh at 4:00 p.m. on Tuesday, April 9, 2013, 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, and Linda Martin. Council Member Glenn Porterfield arrived at 6:11 p.m.

During the Precouncil meeting:

- Mayor Mary Lib Saleh announced that she recently attended a Tarrant Regional Transportation Coalition (TRTC) meeting, and advised that updates on the widening of Interstate 35 and the proposed high speed rail from Dallas/Fort Worth to Houston were provided.
- City Manager Gary McKamie announced the following:
  - Finance Director Vicki Rodriguez farewell reception, April 16, 2013, 3 to 5 p.m.;
  - Library Administrator Kate Lyon retirement reception, April 29, 2013, 3 p.m.;
  - and
  - Director of Public Works and Engineering Ron Young retirement reception, April 30, 2013, 2 p.m.

Additionally, he advised that Director of Public Works and Engineering Young and Director of Planning and Economic Development Mike Collins would not be present for tonight's City Council meeting.

- Director of Parks and Community Services Ray McDonald presented the parks update related to replacing a 450 foot portion of the petroleum gas pipeline that spans the creek in McCormick Park, and advised that the replacement of the line is expected to be completed by the end of May 2013.

John Patterson, Area Manager, Explorer Pipeline Company, was present to address any questions regarding the petroleum gas pipeline replacement.

- Police Captain Gary Landers presented the code update related to residential and commercial code issues, including the status of apartment inspections.
- City Manager McKamie provided an update related to the traffic stop sign located at the intersection of Baze Road and Essex Place and provided enforcement statistics.

Police Chief Mike Brown advised that rumble strips were installed to notify drivers of the traffic stop sign.

- City Manager McKamie provided an update related to the Glade Parks development. He advised that commercial development is expected to occur in the near future, and that a considerable amount of office space is available for small businesses.

Additionally, he advised that Council Member Leon Hogg and Director of Planning and Economic Development Collins will attend the International Council of Shopping Centers (ICSC) Conference in May.

- City Manager McKamie advised the City Council that Service King, 1751 West Airport Freeway, will replace/recoat the roof of their facility and plan to change the color from black to red in accordance with Service King's signature trade dress.
- Director of Parks and Community Services McDonald presented three (3) naming options for the aquatics center, and members of the City Council expressed a preference for naming the facility the Euless Family Life Center Aquatics Park.

City Manager McKamie advised the City Council that the center's northeast parking lot is expected to be poured on April 15, 2013. Additionally, he stated that the grand opening for the aquatics center is scheduled for May 25, 2013, and a soft opening is scheduled for May 23, 2013.

- City Manager McKamie provided the legislative update regarding Senate Bill 1364 related to the computation of an electric utility's income taxes.

City Secretary Kim Sutter provided an update regarding House Bill 3049 which eliminates May as a uniform election date.

- City Manager McKamie presented the water update and advised that there has been no significant change to the Tarrant Regional Water District (TRWD) storage capacity since the last update provided at the March 26, 2013, Precouncil meeting.
- Finance Director Rodriguez provided a financial update for the period ending February 28, 2013, and advised that car rental tax was up by eight (8) percent over the prior year.
- City Manager McKamie reviewed the regular agenda.

## **CLOSED SESSION**

The City Council convened into closed session at 6:00 p.m. for deliberation regarding the following:

Seek legal advice from the City Attorney as authorized by Section 551.071 of the Texas Government Code related to amortization.

Deliberate the purchase, exchange, lease or value of real property as authorized by Section 551.072 of the Texas Government Code.

The City Council recessed closed session at 6:46 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 Olson  
City Secretary Kim Sutter  
Assistant to the City Secretary Holly Houston  
Police Chief Mike Brown  
Director of Parks and Community Services Ray McDonald  
Fire Chief Wes Rhodes  
Finance Director Vicki Rodriguez  
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  
Assistant Director of Finance Jackie Theriot  
Finance Accountant II Diana Ayala  
Computer Support Specialist II Brett Bennett  
Senior Planner Stephen Cook  
Planning and Economic Development Administrative Secretary Alicia Davenport  
Inspector II Rick Eldredge  
Planning and Economic Development Secretary Deborah Howard  
Police Captain Gary Landers  
Water Clerk Inga Langi  
Inspector II Jeff Lee  
Facilities Attendant Jerald Lively  
Purchasing Manager Mike Lowry  
Human Resources Benefit Technician Anniece McKanna  
Water Clerk Connie Molina  
Senior Inspector Jim Moy  
Finance Accountant II Alice Norwood  
Finance Office Technician Mallory Rivera  
Human Resources Benefit Technician Zella Stierwalt  
Utility Billing Manager Kathryn Tipton  
Utility Office Technician Leigh Ann Toney  
Development Manager Tom Winn

**VISITORS**

Saad Aljabban	Mont Edwards	Felicia Smith
Matthew Beck	Seth Edwards	Lori Snide
Michele Burger	Linda Eilenfeldt	Barney Snitz
Lisa Bynum	Iris Elliott	Faye Stinneford
Charles Clark	Bruce German	Ron Tipton
George Clark	Matt Hickey	Mike Utzman
Rachael Creel	Kent Hopkins	Peggy Vandiver
Thomas Creel	Esther Johnson	Helen Voss
Darl Easton	Jerrie Keller	Warren Wilson
Chelsea Edwards	Amanda Kelsoe	
Kim Edwards	Jonathan Nauck	

And others as noted in the visitor register.

**INVOCATION**

Mayor Pro Tem Perry Bynum gave the invocation.

**PLEDGE OF ALLEGIANCE**

Council Member Leon Hogg led the pledge of allegiance.

**ITEM NO. 1. PRESENTATION OF EMPLOYEE SERVICE PINS**

Deputy City Manager Loretta Getchell introduced Finance Director Rodriguez. Vicki was accompanied by her sons, Jordan and Justin, daughter, Cayla, friends, Helen Voss and Faye Stinneford, and members of the Finance Department. Mayor Saleh presented Vicki with a service pin commemorating her 20 years of service with the City.

Assistant City Manager Chris Barker 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 Economic Development Department. Mayor Saleh presented Jim with a service pin commemorating his 30 years of service with the City.

**ITEM NO. 2. PRESENTATION OF PROCLAMATION**

George Clark, Assistant Principal, Trinity High School, introduced Charles Clark, Head Custodian, Trinity High School, and stated that Mr. Charles Clark was selected as the 2012-2013 recipient of the *LifeChanger of the Year* award.

Mayor Saleh presented a proclamation to Charles Clark proclaiming congratulations and appreciation to Mr. Clark on the contributions he has made to the students and staff members in the school district, and to the communities of Hurst, Euless, and Bedford.

**ITEM NO. 3. PRESENTATION OF PROCLAMATION**

Mayor Saleh presented a proclamation to Library Administrator Kate Lyon and Library Board Member Barney Snitz proclaiming April 14 through 20, 2013, as National Library Week.

Library Administrator Lyon announced upcoming events at the Euless Public Library, as well as her upcoming retirement plans.

City Manager McKamie recognized Library Administrator Lyon for the time she has served the City and wished her well in her retirement.

**CONSENT AGENDA (items 4 through 7)**

Deputy City Manager Getchell presented the consent agenda items.

Council Member Martin motioned to approve the consent agenda items number 4 through 7.

Council Member Stinneford seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

**ITEM NO. 4. AUTHORIZED CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS**

Authorized the City Manager to execute an Interlocal Agreement with the North Central Texas Council of Governments (NCTCOG) for electronic warrant payment services.

The NCTCOG, as a regional planning commission and political subdivision of the State of Texas operating under Chapter 391, Texas Local Government Code, has developed an electronic warrant payment services program as part of its shared services to its member organizations. The agreement would allow the City to contract directly for electronic warrant payment services with Government Payment Service, Inc. (GPS), through a standard engagement letter.

**ITEM NO. 5. AUTHORIZED CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH TARRANT COUNTY**

Authorized the City Manager to execute an Interlocal Agreement with Tarrant County to implement the West Nile Virus Mosquito Surveillance and Response Program.

Nationwide, 2012 represented the greatest number of human cases of West Nile Virus since 2003, with a third of all cases reported from Texas. The North Texas region accounted for approximately 92 percent of all cases in Texas. The City and Tarrant County are teaming together to create a West Nile Virus Mosquito Surveillance and Response Program. The

program will include the provision of numerous mosquito traps, monitoring the traps, and testing the mosquitoes trapped.

**ITEM NO. 6. AUTHORIZED CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT, SOFTWARE LICENSE AND SOFTWARE MAINTENANCE AGREEMENT**

Authorized the City Manager to execute a purchase agreement, software license, and software maintenance agreement for the purchase of Brazos Technology E-Citation Mobile Data Capture System for law enforcement. The estimated expenditure is \$112,440.

The Police Department currently utilizes a mobile citation writer system that is over six (6) years old and is at the end of its useful life. The cost to replace the current devices is equivalent to the replacement of a new system which would provide devices with added functionality and reduced costs of printing and maintenance. The new system consists of 28 e-citation writers and printers, installation, and two (2) days of on-site training. The new citation database will interface with existing police records system as well as the municipal court citation database.

**ITEM NO. 7. APPROVED CITY COUNCIL MINUTES**

Approved City Council minutes of the regular meeting of March 26, 2013.

**REGULAR AGENDA**

**ITEM NO. 8. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 13-01-SUP AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1990**

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

Senior Planner Stephen Cook presented the item to the City Council, and advised that the applicant, Saad Aljabban, representing Joudi Group Inc, Ten Minute Oil Change, is seeking a Specific Use Permit for Specific Service Automotive Repair in Community Business District (C-2) zoning to be located at 401 South Industrial Boulevard. Additionally, the Planning and Zoning Commission held a public hearing on March 19, 2013, and recommended approval of the Specific Use Permit by a 6-0 vote with the following conditions:

- 1) The Specific Use Permit is tied to the Business Owner: Saad Aljabban;
- 2) The Specific Use Permit is tied to the Business Name: Ten Minute Oil Change;
- 3) All repair of vehicles, including but not limited to: mechanical repair and maintenance operations will be conducted within the building. No work will be conducted exterior to the building;
- 4) Outdoor storage of vehicles or exterior display of merchandise, including tires are not permitted;
- 5) All tires stored on site whether new or used, shall be stored in a manner that is screened from public view from the right-of-way and shall be stored under cover so as to not allow the collection of rainwater in the tires;
- 6) The services allowed at this facility are as follows: Oil Change, Brake Repair and Replacement, Tire Repair and Replacement, Engine and Radiator Flush, Air

Conditioning Service, Tune Ups, Engine Diagnostic Service, State Inspection, Light Mechanical Repair. Auto services not listed here are thereby prohibited;

- 7) The term of this Specific Use Permit shall be granted for a period of one year in order to gauge the further appropriateness of the use at the specific location; and,
- 8) The Specific use Permit may be revoked if one or more of the conditions imposed by this permit has not been met or has been violated.

Saad Aljabban, business owner, 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 7:29 p.m.

Council Member Hogg motioned to approve Ordinance No. 1990 for a request for a Specific Use Permit in Plaza on the Lake Addition, Block A, Lot 1 for a Specific Service Automotive Repair Shop in Community Business District (C-2) zoning at 401 South Industrial Boulevard, with the conditions presented and recommended by the Planning and Zoning Commission.

Mayor Pro Tem Bynum seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

**ITEM NO. 9. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 13-02-SUP AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1991**

Mayor Saleh opened the public hearing at 7:31 p.m.

Senior Planner Cook presented the item to the City Council, and advised that the applicant, Jonathan Nauck representing JAMMCPARTNERS LTD, dba JAM Motorcars, is seeking a Specific Use Permit for internet auto sales in Heavy Industrial District (I-2) zoning to be located at 1118 South Airport Circle, Suite 150. Additionally, the Planning and Zoning Commission held a public hearing on March 19, 2013, and recommended approval of the Specific Use Permit by a 6-0 vote with the following conditions:

- 1) Tied to the business owner, Mr. Jonathan Nauck;
- 2) Tied to the business name: JAMMC Partners, LTD, dba JAM Motorcars;
- 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;
- 6) No more than five gallons of fuel stored per vehicle (including fuel in the vehicle gas tank) and no more than thirty (30) gallons stored within the facility;
- 7) The term of this Specific Use Permit shall be granted for a period of one year in order to gauge the further appropriateness of the use at the specific location; and,

- 8) The Specific Use Permit may be revoked if one or more of the conditions imposed by this permit has not been met or has been violated.

Jonathan Nauck, business owner, was present to address 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 7:34 p.m.

Mayor Pro Tem Bynum motioned to approve Ordinance No. 1991 for a request for a Specific Use Permit in Airport Business Park, Block 1, Lot 2R for Internet Auto Sales in Heavy Industrial District (I-2) zoning at 1118 South Airport Circle, Suite 150, with the conditions presented and recommended by the Planning and Zoning Commission.

Council Member Stinneford seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

**ITEM NO. 10. HELD A PUBLIC HEARING RELATED TO UPDATED LAND USE ASSUMPTIONS, UPDATED CAPITAL IMPROVEMENTS PLAN AND REVISED WATER AND WASTEWATER IMPACT FEES AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1992**

Mayor Saleh opened the public hearing at 7:35 p.m.

Deputy City Manager Getchell presented the item to the City Council. She advised that in accordance with Section 395 of the Local Government Code, an update of Water and Wastewater Impact Fees was initiated, and at the written request of a citizen a full study of the impact fees was performed. The City contracted with the firm of Birkhoff, Hendricks and Carter (BHC) to perform the study in accordance with the methodologies prescribed in Section 395 of the Local Government Code. She advised that the Land Use Assumptions, Capital Improvements Plan and Trinity River Authority (TRA) costs to provide additional capacities for water and wastewater demands for new development generated an increase in the Water and Wastewater Impact Fees, and in order to maintain a consistency with previous impact fees, staff recommends adoption of Water and Wastewater Impact Fees that are 50 percent of the maximum allowable calculated impact fees. Additionally, she advised that the updated impact fees will be applicable to properties for which the final plat is recorded after April 9, 2013; however, property platted, but undeveloped prior to April 9, 2013, will be subject to the previous impact fees.

Matt Hickey, Professional Engineer, Birkoff, Hendricks & Carter, L.L.P., was present to address any questions regarding the study.

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

Council Member Hogg motioned to approve Ordinance No. 1992, adopting the updated Land Use Assumptions, Capital Improvements Plan and the imposition of revised water and wastewater impact fees.

Mayor Pro Tem Bynum seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

**ITEM NO. 11. PUBLIC COMMENTS**

Mike Utzman, 316 Calvary Drive, Euless, expressed his concern regarding the city's alleged involvement in the sale of a private business on Main Street.

Matthew Beck, 708 Knott Court, Euless, expressed his concern regarding the traffic stop sign located at the intersection of Baze Road and Essex Place, and requested removal of the stop sign.

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

Helen Voss, 1201 Hillcrest Drive, Euless, expressed her support for the City.

**ITEM NO. 12. REPORTS**

**City Manager**

City Manager McKamie responded to Mr. Beck's comments and stated that Assistant City Manager Chris Barker will review his request and will follow up with him directly.

City Manager McKamie responded to Mr. Utzman's comments and stated that the city has not and is not involved in any such activities and agreed to meet with Mr. Utzman following the meeting.

**City Attorney**

No report given.

**City Council**

Mayor Saleh announced that the City of Euless will hold a general and a special election on Saturday, May 11, 2013, to elect Council Members to serve in Place 1, Place 3, and Place 4, and presented the list of candidates. *(Listed in the order in which names will appear on the ballot):*

<b><u>Place 1</u></b>	<b><u>Place 3</u></b>	<b><u>Place 4</u></b> <b><u>(Unexpired Term)</u></b>
Tim Stinneford Bruce German	Darl Easton Linda Martin	Warren Wilson Linda Eilenfeldt

**ITEM NO. 13.      ADJOURN**

Mayor Saleh adjourned the meeting at 7:59 p.m.

**APPROVED:**

**ATTEST:**

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Mary Lib Saleh  
Mayor

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Kim Sutter, TRMC  
City Secretary