

**MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
Tuesday, December 10, 2013**

A regular meeting of the Euless City Council was called to order by Mayor Mary Lib Saleh at 4:03 p.m. on Tuesday, December 10, 2013, in the Precouncil Conference Room of City Hall, 201 North Ector Drive. Those present included Mayor Mary Lib Saleh, Mayor Pro Tem Leon Hogg, Council Members Tim Stinneford, Linda Martin, Linda Eilenfeldt, Glenn Porterfield, and Perry Bynum.

During the Precouncil meeting:

- Mayor Mary Lib Saleh announced that the Historic Heritage Park Christmas Celebration will be held on December 14, 2013, from 1 to 5 p.m., and that the Icefest Holiday Ice Show will be held on December 14, 2013, from 2 to 6 p.m., at the Dr. Pepper Star Center. Additionally, she advised that the employee Christmas luncheon will be held on December 13, 2013.
- City Manager Gary McKamie announced the following:
 - Breakfast with Santa, Texas Star Conference Centre, December 14, 2013, 9 to 11 a.m.;
 - Retiree Christmas Reception, December 13, 2013; 10:30 a.m.;
 - Employee Christmas luncheon, December 13, 2014, 11:30 a.m. to 2:30 p.m.
 - Euless Polar Plunge fundraiser donations will be given to the 6Stones Night of Wonder program;
 - City employees sponsored 146 children through the 6Stones Night of Wonder program;
 - Euless Family Life Center (EFLC) and Senior Center Open House, January 4, 2014, 9 a.m. to 12 p.m.;
 - EFLC Aquatics Center indoor pool grand opening, January 4, 2014, 9 a.m. to 12 p.m.; and
 - Christmas tree recycling provided at the EFLC.
- Director of Public Works Hal Cranor provided an update related to the recent winter freeze. He reported that 80 tons of sand had been placed on major streets, bridges, and intersections, and that 240 man hours were provided to assist with sanding the streets. Additionally, he stated that West Pipeline Road and Heritage Avenue had been temporarily closed due to the road conditions.

Discussion took place regarding the inability to sand all city streets. City Manager McKamie stated that several churches had canceled Sunday services and advised that the decision to cancel church services and close schools and cancel school related activities is at the discretion of the respective entities.

Council Member Tim Stinneford asked that city staff review alternative options other than having hazardous dividers at Simmons Drive and State Highway 10 (SH 10) due to the potential damage to vehicles.

City Manager McKamie stated that city staff would contact the Texas Department of Transportation (TxDOT) to discuss alternative solutions since TxDOT is responsible for the maintenance along SH 10.

- Police Captain Gary Landers presented the code update related to residential and commercial code issues, including apartment inspections. He reported on code compliance case statistics and stated that 5,324 cases, minus inspections through the apartment inspection program, have been processed by the department.

Council Member Perry Bynum requested that the code compliance cases be displayed on a city map.

- Finance Director Janina Jewell provided the unaudited financial update for the period ending September 30, 2013.
- City Manager McKamie advised that the TxDOT public meeting that was held on December 9, 2013, was well attended and it was reported that the State Highway 183 managed lane improvements award of contract is scheduled for April 2014. Additionally, he stated that the City held a meeting for the Cullum Drive residents on December 4, 2013, and advised that construction for the street improvements are scheduled to begin January 20, 2014.
- City Manager McKamie reviewed the regular agenda.

David Hughes, Professional Engineer, Elliott and Hughes, Inc., was present to address any questions related to the fiscal year 2014 Sanitary Sewer Rehabilitation project (Regular Agenda Item No. 8).

CLOSED SESSION

The City Council convened into closed session at 5:25 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
- Lincoln vs. City of Euless et al

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

Concerning economic development incentives as authorized by Section 551.087 of the Texas Government Code related to:

- South Industrial Boulevard

The City Council recessed closed session at 6:52 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 Planning and Economic Development Mike Collins
Director of Public Works Hal Cranor
Director of Administrative Services Dale Harwell
Director of Parks and Community Services Ray McDonald
Finance Director Janina Jewell
Fire Chief Wes Rhodes
Texas Star General Manager Glenda Hartsell-Shelton
Assistant Police Chief Bob Freeman
Library Administrator Sherry Knight
Fleet and Facility Administrator Kyle McAdams
Human Resources/Risk Administrator Carolyn Marshall
Information Services Administrator Dan McLain
Assistant Fire Chief Jeff Morris
Fire Marshal Paul Smith
Computer Support Specialist II Brett Bennett
Senior Planner Stephen Cook
Firefighter II Tommy Crist
Web Designer Adam Eakins
Police Captain Steve Eskew
Firefighter II George Grim
Police Captain Gary Landers
Human Resources Benefit Technician Anniece McKanna
Firefighter II Cliff Moore
Texas Star Conference Centre Manager Magen Morton
Human Resources Generalist Debbie Moss
Texas Star Assistant Food and Beverage Manager Jeff Narum
Police Lieutenant Wayne Pavlik
Firefighter/Driver James Rowell
Fire Lieutenant Tommy Rush
Risk/ Human Resources Generalist Connie Scott-Ortiz
Police Corporal Chuck Skiles
Police Lieutenant Eric Starnes
Human Resources Technician Zella Stierwalt
Fire Secretary Melissa Thomas
Police Lieutenant John Williams

Police Sergeant Ron Williamson

VISITORS

Ailene Bennett
Chris Brown
David Brown
Sherri Browning
Lisa Bynum
Weldon Cannon
Shirley Daily
Don Dykstra
Iris Elliott
Bernie Hietbrink

Mark Johnson
Don Martin
Kim McLain
Angela Montgomery
Roy Montgomery
Michael Niles
Andres Ortiz
Sapphire Ortiz
LuAnn Portugal
Carroll "Scotty" Scott

Lucy Scott
Mike Scott
Christopher Skiles
Debbie Skiles
Barney Snitz
Craig Stierwalt
Peggy Vandiver
Jim White
Warren Wilke

And others as noted in the visitor register.

INVOCATION

Police Chief Mike Brown gave the invocation.

PLEDGE OF ALLEGIANCE

Council Member Perry Bynum led the pledge of allegiance.

ITEM NO. 1. PRESENTATION OF EMPLOYEE OF THE MONTH FOR JANUARY

Fire Chief Wes Rhodes introduced Fire Operations Chief Chanc Bennett. Chanc was accompanied by his wife, Ailene, and members of the Fire Department.

Mayor Saleh presented Chanc with a plaque and certificate commemorating his selection as employee of the month for January 2014.

ITEM NO. 2. PRESENTATION OF EMPLOYEE SERVICE PINS

Texas Star General Manager Glenda Hartsell-Shelton introduced Assistant Food and Beverage Manager Jeff Narum. Jeff was accompanied by Texas Star Conference Centre Manager Magen Morton. Mayor Pro Tem Hogg presented Jeff with a service pin commemorating his five years of service with the City.

Human Resources/Risk Administrator Carolyn Marshall introduced Risk/HR Generalist Connie Scott-Ortiz. Connie was accompanied by her father, Scotty, mother, Lucy, son, Andres, daughter, Sapphire, brother, Mike, and members of the Human Resources Department. Council Member Eilenfeldt presented Connie with a service pin commemorating her five years of service with the City.

Police Senior Officer Bryan Gardner was not present to accept a service pin commemorating his 15 years of service with the City.

Human Resources/Risk Administrator Marshall introduced HR Technician Zella Stierwalt who announced that she will be retiring as of January 31, 2014. Zella was accompanied by her sons, Craig and Tracy, friend, Michael, and members of the Human Resources Department. Council Member Porterfield presented Zella with a service pin commemorating her 25 years of service with the City.

Police Chief Brown introduced Police Corporal Chuck Skiles. Chuck was accompanied by his wife, Debbie, son, Christopher, and members of the Police Department. Council Member Martin presented Chuck with a service pin commemorating his 30 years of service with the City.

ITEM NO. 3. PRESENTATION OF FINANCIAL REPORT FOR FISCAL YEAR ENDING SEPTEMBER 30, 2013

Finance Director Jewell presented the quarterly unaudited financial report for the period ending September 30, 2013. She stated that the audited financial report will be provided at the January 28, 2014, City Council meeting.

CONSENT AGENDA (items 4 through 7)

Mayor Saleh read each item into the record.

Deputy City Manager Loretta Getchell reviewed the consent agenda items.

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

Council Member Eilenfeldt seconded the motion.

City Manager McKamie advised that Award of Bid No. 002-14 (Consent Item No. 4) will complete the construction of Rio Grande Boulevard to Cheek-Sparger Road, provide sanitary sewer, landscaping, and entry features to the Glade Parks development, which will prepare the property for future commercial development.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 4. AWARDED BID NO. 002-14

Awarded Bid No. 002-14 for a construction contract to Mario Sinacola & Sons, for the construction of Rio Grande Boulevard and entries, State Highway 121 southbound frontage road and Cheek-Sparger Road traffic signal, and authorized the City Manager to execute a contract with Mario Sinacola & Sons. The estimated expenditure is \$5,217,965.58, paid from Developers Escrow held by the City in accordance with the terms and conditions of the Phase III and IV Development Agreement.

The project will complete Rio Grande Boulevard to Cheek-Sparger Road, the bridge over Little Bear Creek, provide landscaping and irrigation to the medians, and construct entry features along the southbound State Highway 121 entry connections. Bids were received from five (5) companies and the low bid was submitted by McMahon Contracting, L.P. of Irving, Texas. McMahon Contracting, L.P. subsequently requested that their bid be rejected due to a computer calculation error. Staff recommends that the City award the construction contract to the second low bidder, Mario Sinacola & Sons.

ITEM NO. 5. AWARDED BID NO. 003-14

Awarded Bid No. 003-14 for HVAC system comprehensive maintenance. The recommended vendor is ABM Building Services, LLC, Fort Worth, Texas. The estimated expenditure is \$54,492.

The agreement is for a complete comprehensive HVAC maintenance program for the following city facilities:

1. City Hall;
2. Finance / Human Resources Building;
3. Development / Engineering Building;
4. Fire Administration / Purchasing Building; and,
5. Eules Family Life Center (EFLC).

This program covers preventative maintenance, seasonal startup inspections, bi-monthly filter changes, service parts, and as needed replacement compressors.

ITEM NO. 6. AWARDED BID NO. 005-14

Awarded Bid No. 005-14 for the fumigation of putting greens at Texas Star Golf Course to Francis and Francis, Highland Village, Texas. The estimated expenditure is \$68,850.

As a part of Texas Star's upcoming putting greens resurfacing, the fumigation process will help ensure that the seed bed is free of all weeds, weed seeds, nematodes, insects, and disease pathogens.

ITEM NO. 7. APPROVED CITY COUNCIL MINUTES

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

REGULAR AGENDA

ITEM NO. 8. AUTHORIZED CITY MANAGER TO EXECUTE AN ENGINEERING DESIGN CONTRACT

Council Member Martin motioned to authorize the City Manager to execute an engineering design contract with Elliott and Hughes, Inc. for the design of Fiscal Year 2014 Sanitary Sewer Rehabilitation Project. The estimated expenditure is \$60,000.

Council Member Bynum seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

The project includes the replacement of sanitary sewer mains at the following locations:

- 1) Denton Drive between Collin Drive and Harwood Drive to include a portion of Bell Drive.
- 2) Dallas Drive between Denton Drive and Irion Drive.
- 3) Irion Drive between Dallas Drive and Harwood Drive.

ITEM NO. 9. AUTHORIZED CITY MANAGER TO NEGOTIATE AND EXECUTE A DEVELOPMENT AGREEMENT

Council Member Martin motioned to authorize the City Manager to negotiate and execute a development agreement with Edgewood Holdings, LLC, providing terms and conditions related to the continued operation of the Shadow Creek Apartments, including a termination date and assignable option to purchase.

Mayor Pro Tem Hogg seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 10. HELD PUBLIC HEARING REGARDING PLANNED DEVELOPMENT 13-05-PD AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 2018

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

Director of Planning and Economic Development Collins presented the case to the City Council. He advised that the applicant, Don Dykstra, representing Bloomfield Homes, is requesting approval to change the zoning on 2.5819 acres currently addressed as 606 South Main Street from Single-Family Dwelling District (R-1) zoning into Planned Development (PD) zoning. Bloomfield Homes intends to construct a fourteen (14) lot single-family detached subdivision. The average lot size will be approximately 7,000 square feet with an average dwelling unit of 2,800 square feet.

An existing historical marker of the State of Texas is located on the southern portion of this property. The developer will work with the Tarrant County Historical Commission and the Texas State Historical Commission to obtain official approval to relocate the historical marker along the South Main Street frontage which will provide greater public access to the marker. There were several individuals from neighboring properties that attended the

December 3, 2013, Planning and Zoning Commission meeting and expressed concern with having two story homes adjacent to existing single family homes. The Planning and Zoning Commission recommended approval of the Planned Development by a vote of 7-0 with an amendment that all homes built within Block A (adjacent to existing single family homes) shall have opaque windows on the second story of the homes rear elevation.

Since the Planning and Zoning Commission meeting, Mr. Dykstra has met with several of the adjacent neighbors and presented alternate options including a home design that would eliminate the privacy concerns. City staff is recommending approval of the ordinance with an amendment to Exhibit B to exclude the requirement of the opaque windows on the second story rear elevation of the homes to be located within Block A.

Mayor Saleh asked to hear from any proponents of the case.

Don Dykstra, President of Bloomfield Homes, 100 Ridgewood Drive, expressed his appreciation to the City Council for their consideration, Mr. Weldon Cannon for selecting Bloomfield Homes to develop the property, and Director of Planning and Economic Development Collins for his assistance during the process. He stated that he met with the concerned neighbors and was able to address their concerns. Rather than using opaque glass, a natural solution will include double paneling the fence to the south, providing an eight (8) foot fence on the west side, and planting three inch trees to use more of a natural screen.

Mayor Saleh asked to hear from any opponents of the case. There being none, Mayor Saleh closed the public hearing at 7:53 p.m.

Mayor Pro Tem Hogg motioned to approve the first and final reading of Ordinance No. 2018, changing the zoning of 2.5819 acres of land located in the Elijah Rogers Survey, Abstract 1299, 606 South Main Street, from Single-Family Dwelling District (R-1) zoning into Planned Development (PD) zoning including amending Exhibit B to eliminate the requirement to incorporate opaque glass to the second story of homes to be located within Block A.

Council Member Eilenfeldt seconded the motion.

Council Member Bynum stated that he believes this quality development will be a positive influence for future development in the south portion of the City.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 11. APPROVED SITE PLAN NO. 13-06-SP

Director of Planning and Economic Development Collins presented the case to the City Council. He advised that the applicant, Mark Johnson, representing The NRP Group, is seeking to construct urban lofts to be located on A. Bradford Survey, Abstract No. 152, east of Bear Creek Parkway and south of Midway Drive. The NRP Group is an urban loft

developer and management company seeking to develop a three hundred (300) dwelling unit product as part of the Riverwalk Master Development. The project will be known as The Preserve at Bear Creek and will feature seven (7) buildings. The proposed project represents the first phase of the urban loft development and the entire district allows for up to a total of five hundred (500) dwelling units. The development will feature a pedestrian trail, internal open space, heavy landscaping, and wrap-around balconies. Additionally, the Planning and Zoning Commission recommended approval of the Site Plan on November 19, 2013, by a vote of 7-0.

Mark Johnson, owner and developer, 3811 Northwest Parkway, Dallas, Texas, presented The NRP Group background including, quick facts, current markets, company overview, history, awards, and recognition. He stated that the average unit size will be 1,007 square feet, and that rent will range from \$930 for their smallest unit up to \$2,100 for the town home unit.

Warren Wilke, Multi-Family Environments Director, GSR Andrade Architects, 4121 Commerce Street, Dallas, Texas, expressed his appreciation to Director of Planning and Economic Development Collins and Senior Planner Stephen Cook for their assistance during the development process. He provided illustrations of the southeast and southwest corner architectural features and landscaping, as well as building elevations and details. Additionally he displayed an exhibit of the pool area and a sketch showing the urban lofts in comparison to where the future retail buildings will be located.

City Manager McKamie advised that Minters Chapel Road currently is in a right-of-way that the City intends to abandon in the future. He stated that the existing dirt road will be constructed into a new road that will curve around instead of running north and south bound.

Mayor Pro Tem Hogg motioned to approve Site Plan No. 13-06-SP for urban loft development proposed to be located on the A. Bradford Survey, Abstract No. 152, east of Bear Creek Parkway and south of Midway Drive.

Council Member Stinneford seconded the motion.

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

Nays: Council Member Porterfield

Mayor Saleh declared the motion carried.

ITEM NO. 12. PUBLIC COMMENTS

There were no public comments.

ITEM NO. 13. REPORTS

City Manager

City Manager McKamie announced the following:

- Historic Heritage Park Christmas Celebration, December 14, 2013, 1 to 5 p.m.;
- Eules Family Life Center (EFLC) and Senior Center Open House, January 4, 2014, 9 a.m. to 12 p.m.;
- EFLC Aquatics Center indoor pool grand opening, January 4, 2014, 9 a.m. to 12 p.m.; and
- Christmas tree recycling provided at the EFLC.

City Attorney

No report given.

City Council

Council Member Martin announced that Breakfast with Santa will be held on December 14, 2013, from 9 to 11 a.m., at the Texas Star Conference Centre.

Mayor Saleh wished everyone a Merry Christmas.

ITEM NO. 14. ADJOURN

Mayor Saleh adjourned the meeting at 8:20 p.m.

APPROVED:

ATTEST:

Mary Lib Saleh
Mayor

Kim Sutter, TRMC
City Secretary