

**MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
Tuesday, May 12, 2015**

A regular meeting of the Euless City Council was called to order by Mayor Linda Martin at 4:01 p.m. on Tuesday, May 12, 2015, in the Precouncil Conference Room of City Hall, 201 North Ector Drive. Those present included Mayor Linda Martin, Mayor Pro Tem Linda Eilenfeldt, Council Members Tim Stinneford, Harry Zimmer, and Perry Bynum. Council Member Eddie Price arrived at 4:02 p.m. Council Member Jeremy Tompkins was not present due to a scheduled absence.

During the Precouncil meeting:

- City Secretary Kim Sutter advised that canvassing of the Saturday, May 9, 2015 General Election results will take place Tuesday, May 19, 2015, and expressed her appreciation to Mr. Darl Easton for serving as the Election Judge.
- City Manager Loretta Getchell advised that staff is looking forward to continuing to work with Council Member Zimmer and Council Member Bynum over the next three years. Additionally, she mentioned the 6Stones Run for Hope event that will be held on Saturday, May 16, 2015, at Pennington Field in Bedford and stated that several employees will be participating.
- Mayor Pro Tem Linda Eilenfeldt thanked the Police and Fire Departments for their cooperation and assistance for the Run for Hope event.
- Assistant City Manager Chris Barker introduced Jeri Harwell, Municipal Services Manager, Allied Waste Services (AWS) of Fort Worth, LLC.

Ms. Harwell presented the AWS annual report and reviewed the contractual services provided to the City. She presented statistical information related to residential, commercial, and industrial tonnage and mentioned free services offered to the City including curbside Christmas tree collections and landfill access.

Discussion ensued regarding AWS's response during the ice storms in February and March and an increase in trash collections.

- Assistant City Manager Barker presented the Atmos Rate Review Mechanism (RRM) update and stated that an ordinance will be presented at the next meeting for consideration that will settle the 2014 and 2015 Atmos rate requests. The overall total amount requested for 2014 and 2015 is \$74.4 million. The average monthly residential charge will increase by approximately 1.59 percent or \$1.14 per month. The increase will go into effect on June 1, 2015.
- Police Chief Mike Brown presented the quarterly Police Department update for the period ending March 31, 2015. He provided information including patrol time statistics, crimes against persons, and property crime.

- Police Lieutenant Brandon Zachary presented the code update and provided an update related to residential and commercial swimming pool code and maintenance issues in the City.
- Fire Chief Wes Rhodes presented the Fire Department update including average response times, calls for service, and the estimated dollar loss from January to April 2015. The Citizens Fire Academy class #22 will hold their graduation on Thursday, May 14, 2015. Additionally, 21 children are currently registered for the Euless Kids Fire Academy to be held June 22 through 26, 2015, and money is available to help those attend who cannot otherwise afford it.

Assistant Fire Chief Jeff Morris advised the City Council of the American Heart Association's Caruth Initiative Program and stated the Fire Department has been awarded a Bronze Heart Award in recognition of providing service to heart attack victims.

Division Chief Paul Smith and Building Official Don Sheffield presented the Building Official and Fire Marshall update and discussed code compliance, plan reviews, and the interdepartmental cooperation dedicated to customer service.

- Finance Director Janina Jewell presented the financial update for the period ending April 30, 2015.
- Director of Public Works Hal Cranor provided the water update and advised that Fort Worth reservoirs are at 92.7 percent versus 86 percent one week ago, Richland Chambers is at 100 percent capacity versus 89 percent two days ago, and Bridgeport Reservoir is at 56 percent versus 38 percent one month ago. He discussed the requirements for the Trinity River Authority (TRA) to lift Stage I watering restrictions. Conservation plans are being discussed and restricted watering hours and watering twice a week are being considered to remain as a permanent requirement.
- Assistant City Manager Barker presented the Texas Water Development Board (TWDB) projects update and that the TWDB has awarded two low interest loans to the City. Staff will present a proposal for bond sales for City Council consideration at the second meeting in June. TWDB funding will be applied toward water meter replacement and expansion of the reclaimed water line system.
- City Manager Getchell reviewed the regular agenda.

CLOSED SESSION

The City Council convened into closed session at 6:28 p.m. for deliberation regarding the following:

Seek legal advice from the City Attorney as authorized by Section 551.071 related to:

- Marcus Miles, et al vs. City of Euless, et al

Economic development as authorized by Section 551.087 of the Texas Government Code related to:

- Discuss or deliberate regarding commercial or financial information that the City has received from business prospects that the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect.

The City Council recessed closed session at 6:45 p.m.

COUNCIL CONSIDERATION OF SCHEDULED ITEMS – COUNCIL CHAMBERS

The Eules City Council continued their meeting in the Council Chambers at 7:01 p.m. for consideration of scheduled items.

STAFF MEMBERS PRESENT

City Manager Loretta Getchell
 Deputy City Manager Bob Freeman
 Assistant City Manager Chris Barker
 City Attorney Wayne Olson
 City Secretary Kim Sutter
 Deputy City Secretary Lindsay Wells
 Police Chief Mike Brown
 Director of Planning and Economic Development Mike Collins
 Director of Public Works Hal Cranor
 Finance Director Janina Jewell
 Director of Parks and Community Services Ray McDonald
 Fire Chief Wes Rhodes
 Marketing/Communications Manager Betsy Deck
 Information Services Administrator Scott Joyce
 Library Administrator Sherry Knight
 Fleet and Facility Administrator Kyle McAdams

VISITORS

Mark Appenzeller	Jan Crossland	Kay Price
Sabino Arizpe III	Shirley Daily	Mary Rhodes
Brittany Baxter	Nedal Darsalem	Daniel Rodriguez
Dwayne Beach	Jessica Dykes	Elisa Rosales
Rebecca Brown	Kay Enos	Barney Snitz
Sherri Browning	Kevin Enos	Lori Tompkins
Lisa Bynum	Sheli Godbold	Trey Toney
Kevin Carrothers	Brenda Gordon	Andy Valladares
Debi Chesney	Donna Judd	Margarita Valladares
Charles Cinquemani	Jay King	Rudy Valladares
Dave Coburn	Rick Knight	Peggy Vandiver
Andy Conner	Sue Knight	
Bobbie Jo Cox	Sue Kosec	

INVOCATION

Finance Director Janina Jewell gave the invocation.

PLEDGE OF ALLEGIANCE

Girl Scout Troop 1504 led the pledge of allegiance.

ITEM NO. 1. PRESENTATION OF EMPLOYEE SERVICE PINS

Finance Director Janina Jewell introduced Billing Manager Leigh Ann Toney. Leigh Ann was accompanied by her husband, Trey, and members of the Utility Billing Department. Council Member Stinneford presented Leigh Ann with a service pin commemorating her 10 years of service with the City.

Assistant City Manager Chris Barker introduced Library Administrator Sherry Knight. Sherry was accompanied by her husband, Kevin Carrothers, daughter, Natalie Carrothers, son, Brady Carrothers, father, Rick Knight, mother, Sue Knight, Library Board member Barney Snitz, and members of the Library Department. Council Member Stinneford presented Sherry with a service pin commemorating her 15 years of service with the City.

Fire Chief Wes Rhodes introduced Firefighter Cody Delmere. Cody was accompanied by and members of the Fire Department. Council Member Bynum presented Cody with a service pin and clock commemorating his 25 years of service with the City.

Fire Chief Wes Rhodes introduced Lieutenant Lance Judd. Lance was accompanied by his wife, Donna, sons, Garrett, Dylan, and Marshall, mother-in-law, Maurine Gordon, sister-in-law, Brenda Gordon, and members of the Fire Department. Council Member Bynum presented Lance with a service pin and clock commemorating his 25 years of service with the City.

Fire Chief Wes Rhodes introduced Firefighter/Driver James Rowell. James was accompanied by his wife, Susan, daughters, Courtney and Kendall, Kendall's boyfriend, Colin Fahrman, and members of the Fire Department. Council Member Bynum presented James with a service pin and clock commemorating his 25 years of service with the City.

Police Chief Mike Brown introduced Corporal Marco Valladares. Marco was accompanied by his wife, Margarita, sons, Andy and Rudy, Rudy's girlfriend, Jessica Dykes, and members of the Police Department. Mayor Martin presented Marco with a service pin and clock commemorating his 25 years of service with the City.

Police Chief Mike Brown introduced Lead Dispatcher Debbie Riley-Torrez. Debbie was accompanied by her husband, Ernest Torrez, son, Joshua Riley, daughter, Annie Riley, sister, Kay Enos, brother-in-law, Kevin Enos, sister, Barbara Walters, nephew, Christopher Sickler, niece, Joy King, granddaughter, Raven Webb, friend, Debi Chesney, and members of the Police and Fire Departments. Mayor Martin presented Debbie with a service pin commemorating her 35 years of service with the City.

ITEM NO. 2. PRESENTATIONS OF CERTIFICATES OF RECOGNITION

Mayor Martin presented Certificates of Recognition to the members of Girl Scout Troop 1504 for the achievement in attaining the Bronze Award from the Girl Scouts of the USA. The troop accomplished their goal of improving literacy by conducting a Read-a-Thon, collected over 100 books from donors, and constructed a Little Free Library.

ITEM NO. 3. PRESENTATION OF PROCLAMATION

Mayor Pro Tem Eilenfeldt presented a proclamation to David “Rooster” Coburn of the Alternative Eules Motorcyle Club, and Andy “Crash” Connor of the Regimented Army Warriors Motorcyle Club, proclaiming May as Motorcyle Safety and Awareness Month.

REGULAR AGENDA

ITEM NO. 4. APPROVED ASSIGNMENT OF RIGHT TO PURCHASE

Council Member Stinneford motioned to approve the assignment of right to purchase by and between the City of Eules, Texas and CADG 901 Airport Freeway LLC, for Block A, Crossroads Addition and authorized the City Manager to execute such assignment.

Council Member Bynum seconded the motion.

Ayes: Mayor Martin, Mayor Pro Tem Eilenfeldt, Council Members Stinneford, Price, Zimmer, and Bynum

Nays: None

Mayor Martin declared the motion carried.

ITEM NO. 5. AUTHORIZED CITY MANAGER TO NEGOTIATE AND EXECUTE A DEVELOPMENT AGREEMENT WITH CREEKWOOD GLADE PARKS LLC

Assistant City Manager Barker informed the City Council that this agreement describes duties and responsibilities between Creekwood Glade Parks LLC and the City in matters regarding the construction of public improvements in connection with the Glade Parks South Development. Creekwood Glade Parks LLC is agreeing to reconstruct approximately 150 linear feet of Heritage Avenue adjacent to the Glade Parks South Development, from the intersection of Heritage Avenue and Cheek Sparger Road northward.

Council Member Price motioned to authorize the City Manager to negotiate and execute a development agreement with Creekwood Glade Parks LLC, relating to certain public improvements along portions of Heritage Avenue serving the mixed-use development to be known as the Glade Parks South Development.

Mayor Pro Tem Eilenfeldt seconded the motion.

Ayes: Mayor Martin, Mayor Pro Tem Eilenfeldt, Council Members Stinneford, Price, Zimmer, and Bynum

Nays: None

Mayor Martin declared the motion carried.

ITEM NO. 6. APPROVED ORDINANCE NO. 2063

Assistant City Manager Barker advised that the cities of Colleyville and Euless approved a Joint Boundary Agreement Ordinance in February 2012, and now desire to revise the boundaries established by that Agreement. A portion of Heritage Avenue between Cheek-Sparger Road and Glade Road will be within the corporate boundaries of Colleyville and a portion will be within the corporate boundaries of Euless. He advised that Colleyville and Euless each agree to allow the drive approaches or other curb cuts onto Heritage Avenue to allow development within the other City's corporate boundaries, unless strictly precluded by traffic safety considerations and regulations. Additionally, Colleyville and Euless agree to maintain all portions of Heritage Avenue within their respective City Limits, and agree that Heritage Avenue shall remain named Heritage Avenue unless otherwise agreed to by both Cities.

Council Member Bynum motioned to approve the first and final reading of Ordinance No. 2063, approving a boundary adjustment agreement with the City of Colleyville.

Council Member Zimmer seconded the motion.

Ayes: Mayor Martin, Mayor Pro Tem Eilenfeldt, Council Members Stinneford, Price, Zimmer, and Bynum

Nays: None

Mayor Martin declared the motion carried.

ITEM NO. 7. APPROVED SITE PLAN NO. 15-03-SP

Director of Planning and Economic Development Collins presented the item to the City Council and stated that Tonti Properties is an urban loft developer and property management company seeking to develop 478 dwelling units as part of the Glade Parks South Development. The development will feature a primary four-story building with structured parking and eight apartment home buildings which surround the primary structure on three sides. The Glade Parks South Planned Development was recommended for approval by the Planning and Zoning Commission and approved by the City Council on January 27, 2015. The Planning and Zoning Commission considered this site plan at their March 3, 2015 regular meeting and recommended approval by a vote of 6-0-0.

Michael Tonti, Tonti Properties, 10310 Woodward Drive, Dallas, Texas, expressed that he was inspired by the servitude and sense of family shown in the service awards given earlier in the meeting and stated that his company is run in a similar manner. Tonti Properties is a third generation family owned business and their intent is become a part of the community.

Council Member Bynum inquired about the long term ownership of the property.

Mr. Tonti stated that his company considers their properties an extension of their family and shared their concern and response regarding a property in Denton during recent severe weather and tornado warnings.

Mayor Pro Tem Eilenfeldt motioned to approve Site Plan No. 15-03-SP for urban loft development proposed on 15.25 acres out of the Jesse Doss Survey, Abstract 441 located northeast of Heritage Avenue at Cheek-Sparger Road.

Council Member Stinneford seconded the motion.

Ayes: Mayor Martin, Mayor Pro Tem Eilenfeldt, Council Members Stinneford, Price, Zimmer, and Bynum

Nays: None

Mayor Martin declared the motion carried.

ITEM NO. 8. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 15-05-SUP AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 2062

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

Director of Planning and Economic Development Collins presented the item to the City Council and stated that the applicant, Nedal Omar Darsalem representing Entire Auto Center, is seeking a Specific Use Permit (SUP) for their business to be located at 316 North Main Street. The owner of the property, Sal Alfieri, has stated that the lease of the building for auto services is short term. Due to the expected impact of the Airport Freeway widening project and the closure of the Main Street bridge over the highway, there is a reluctance to make a significant investment in a major remodel of the property for a retail or restaurant type use at this time. Access to North Main Street will be impacted after the bridge is removed and before it is rebuilt. Mr. Alfieri's intent is that he will not lease the building out for auto services when the highway construction is completed. Additionally, the Planning and Zoning Commission held a public hearing on April 21, 2015, and recommended approval of the Specific Use Permit by a 6-0-0 vote with the following conditions:

1. Tied to the business owner, Nedal Omar Darsalem; and,
2. Tied to the business name, NK Entire Auto Lube, Inc dba Entire Auto Center; and,
3. All repair of vehicles, including but not limited to: tire repair, mechanical repair and maintenance operations will be conducted within the building. No work will be conducted exterior to the building; and,
4. Outdoor storage of vehicles or merchandise is not permitted within view of the public right-of-way; and,
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; and,

6. The services allowed at this facility are as follows: Oil change; Air Filter Change; Coolant Flush; Transmission Flush; Tire Replacement; Light Mechanical including brakes, shocks, struts, spark plugs, Wheel Alignment; Air Conditioning Service. Auto Services not listed here are thereby prohibited; and,
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.

Sabino Arizpe III, 316 North Main Street, Euless, stated that he and his business partner, Mr. Darsalem, recently moved to Euless and currently have another automotive shop in Irving. He stated that they are amenable to the one year time period stipulation in the SUP conditions but would prefer a longer period of time. Mr. Arizpe and Mr. Darsalem plan to discontinue the previous practice of storing vehicles outside and if vehicles are kept overnight, they will be kept from view inside the facility.

Mayor Martin asked to hear from any proponents followed by opponents wishing to speak regarding the case. Seeing none, the public hearing was closed at 7:54 p.m.

Council Member Stinneford questioned if the owners understood the long term issues with the property and stated that he does not consider automotive as the best use of this land. He advised that it would be his opinion to not extend the SUP once the Main Street bridge reconstruction is complete.

Mayor Martin inquired about the term of the lease contract and Mr. Arizpe confirmed that the signed lease agreement is for a five year term.

Council Member Bynum encouraged the owners to begin searching for a new location in Euless for their business since this location is short term. He made clear that the City does not wish to exclude this business, but rather that they find a more suitable long term location.

Council Member Stinneford motioned to approve the first and final reading of Ordinance No. 2062 for a Specific Use Permit for auto services proposed to be located on Euless Gardens, Block 3, Lot 1B at 316 North Main Street within the Community Business District (C-2) with conditions as recommended by the Planning and Zoning Commission.

Council Member Bynum seconded the motion.

Ayes: Council Members Stinneford, Price, Zimmer, and Bynum

Nays: Mayor Martin and Mayor Pro Tem Eilenfeldt

Mayor Martin declared the motion carried.

Secretary's Note:

(Mayor Martin's vote was recorded as a Nay after being incorrectly shown as an Abstention during the meeting.)

Ordinance No. 2062 will require a second reading on May 26, 2015, due to the lack of five affirmative votes as required by Article II, Section 11 of the Euless Home Rule Charter.

ITEM NO. 9. APPROVED THIRD AMENDMENT TO LEASE AND INCENTIVE AGREEMENT BY AND BETWEEN THE EULESS DEVELOPMENT CORPORATION, THE CITY OF EULESS, U.S. CONCRETE, INC., AND ITS SUBSIDIARY REDI MIX, LLC

City Manager Getchell advised that this agreement authorizes an amendment to a previously approved lease agreement with U.S. Concrete and its subsidiary Redi Mix, LLC. This amendment would modify the terms of the construction improvements and the sales and use tax rebates related to the proposed building expansion for a property owned by the Euless Development Corporation (EDC) by increasing the maximum allowable rebate for the expansion of the current facility.

The tenant, U.S. Concrete, would pay for the expansion and would be eligible for a rebate equal to the cost of the improvements when certain thresholds are met based on expected increased sales tax revenues to the City. The improvements will become the property of the EDC upon completion.

Council Member Price motioned to approve the third amendment to the lease and incentive agreement by and between Euless Development Corporation, the City of Euless, and U.S. Concrete, Inc. and its subsidiary Redi Mix, LLC.

Mayor Pro Tem Eilenfeldt seconded the motion.

Ayes: Mayor Martin, Mayor Pro Tem Eilenfeldt, Council Members Stinneford, Price, Zimmer, and Bynum

Nays: None

Mayor Martin declared the motion carried.

ITEM NO. 10. APPROVED BOARD APPOINTMENT

Assistant City Manager Barker stated that the longtime veterinarian who served on the Animal Shelter Advisory Board, Dr. Gayla Maas, has recently resigned her position. A licensed veterinarian is a required position on the Animal Shelter Advisory Board as outlined in Section 823.005 (b) of the Texas Health and Safety Code. Dr. Susan Read of the Tara Animal Clinic has volunteered to fill this vacancy.

Council Member Bynum motioned to appoint Dr. Susan Read to the Animal Shelter Advisory Board with a term expiring December 31, 2015.

Council Member Stinneford seconded the motion.

Ayes: Mayor Martin, Mayor Pro Tem Eilenfeldt, Council Members Stinneford, Price, Zimmer, and Bynum

Nays: None

Mayor Martin declared the motion carried.

ITEM NO. 11. APPROVED CITY COUNCIL MINUTES

Council Member Stinneford motioned to approve the City Council minutes of the regular meeting of April 28, 2015.

Council Member Zimmer seconded the motion.

Ayes: Mayor Martin, Mayor Pro Tem Eilenfeldt, Council Members Stinneford, Price, Zimmer, and Bynum

Nays: None

Mayor Martin declared the motion carried.

ITEM NO. 12. PUBLIC COMMENTS

There were no public comments.

ITEM NO. 13. REPORTS

City Manager

No report given.

City Attorney

No report given.

City Council

Council Member Bynum thanked the citizens for the support during the recent election.

Mayor Martin announced the Vanderveer Brothers String Band will hold a concert at the Mary Lib Saleh Euless Public Library on Monday, May 18, 2015, and also acknowledged Fort Worth Star-Telegram reporter Liz Campbell who was in attendance. Mayor Martin announced that Hurst Euless Bedford Independent School District (HEB ISD) Superintendent Steve Chapman has challenged the mayors of Hurst, Euless, and Bedford to a Mayor's Hunger Challenge and asked Marketing/Communications Manager Betsy Deck to provide additional details.

Ms. Deck stated that the Mayor's Hunger Challenge will begin Saturday, May 16, 2015 and ends Saturday, July 4, 2015. There will be two drop off locations in Euless – the Mary Lib Saleh Euless Public Library and aquatic center. She stated that 52 percent of HEB ISD students are on free or reduced lunch plans and do not have easy access to these plans during the summer months causing food pantries to become depleted very quickly.

Mayor Martin announced that the next City Council meeting will be held Tuesday, May 26, 2015, in the Council Chambers at City Hall.

ITEM NO. 9. ADJOURN

Mayor Martin adjourned the meeting at 8:05 p.m.

APPROVED:

ATTEST:

Linda Martin, Mayor

Kim Sutter, TRMC, City Secretary