MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
Tuesday, May 26, 2015

A regular meeting of the Euless City Council was called to order by Mayor Linda Martin at 4:03 p.m. on Tuesday, May 26, 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, Jeremy Tompkins, Eddie Price, and Perry Bynum. Council Member Harry Zimmer was not present due to a scheduled absence.

During the Precouncil meeting:

- Council Member Tim Stinneford expressed his concern for the safety of golfers at Texas Star Golf Course due to GPS devices on board golf carts not working properly.

- Council Member Perry Bynum inquired about the City's plans for mosquito spraying and City Manager Loretta Getchell confirmed that the topic will be on the next agenda.

- Mayor Linda Martin recognized Police Chief Mike Brown for the recently held Citizens Police Academy graduation and thanked Council Member Jeremy Tompkins for attending. Additionally, she mentioned the Euless Tongan Committee ceremony honoring high school graduates and thanked Council Member Eddie Price and his wife, Kay for attending.

- Fire Chief Wes Rhodes advised that the Fire Department is currently conducting live fire training in Cleburne and area fire departments are assisting the Department to allow crews to train together.

- Deputy City Manager Bob Freeman discussed the City's outdoor weather warning system and provided details of the City's public notifications.

  Discussion ensued regarding targeting the alarms in certain areas of the City and the criteria for sounding the alarms.

- Director of Planning and Economic Development Mike Collins provided the development update including commercial and residential development and announced upcoming Planned Developments for City Council consideration.

  Discussion ensued regarding how the proposed properties will age.

  Mr. Collins introduced Ruby 12 Glade Retail, LLC representative, Zack Knutson.

  Mr. Knutson discussed the Glade Parks Development and mentioned several stores that will be opening in August 2015. He also announced that the Belks Department store has begun their construction with plans to open March 14, 2016.

- City Manager Getchell discussed the Glade Parks Public Improvement District (PID) and referenced the current Tax Increment Reinvestment Zone (TIRZ) boundary. The

property developer has agreed to create a second Glade Parks PID which will come before the City Council for consideration.

- Police Chief Mike Brown presented the Chapter 46 Code of Ordinance update and stated that an updated ordinance will be presented in June removing references to vehicle inspections to comply with the new "Two Steps, One Sticker" state policy regarding motor vehicle inspection and registration.

- Director of Public Works Hal Cranor presented the water update and stated Fort Worth and Dallas reservoirs are full following recent rains.

  City Manager Getchell asked for City Council input regarding certain restrictions contained within the Stage I watering restrictions and advised that the requirement of no watering between 10:00 a.m. and 6:00 p.m. is already permanent.

  Discussion ensued regarding changing the current watering requirements.

- Finance Director Janina Jewell presented the financial update for the seven month period ending April 30, 2015.

- City Manager Getchell reviewed the regular agenda.

CLOSED SESSION

The City Council convened into closed session at 6:25 p.m. for deliberation regarding the following:

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 6:46 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 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
Texas Star General Manager Glenda Hartsell-Shelton
Information Services Administrator Scott Joyce
Library Administrator Sherry Knight
Human Resources Administrator Carolyn Marshall
Communications and Marketing Manager Betsy Deck

VISITORS

Sabino Arizpe
Sherri Browning
Lisa Bynum
Shirley Daily
Kristy Dault
Nadal Darsalem
Darl Easton
Donna Judd
Barney Snitz
Lori Tompkins
Peggy Vandiver

INVOCATION

Police Chief Mike Brown gave the invocation.

PLEDGE OF ALLEGIANCE

Council Member Eddie Price led the pledge of allegiance.

ITEM NO. 1. ADMINISTRATION OF OATH OF OFFICE AND PRESENTATION OF CERTIFICATE OF ELECTION

City Attorney Wayne Olson administered the Oath of Office to Perry Bynum, elected Council Member, Place 6. Mayor Linda Martin presented Council Member Bynum with a Certificate of Election.

ITEM NO. 2. PRESENTATION OF EMPLOYEE OF THE MONTH FOR JUNE

Public Works Director Hal Cranor introduced Equipment Operator Randy Dault. Randy was accompanied by his wife, Kristy.

Mayor Martin presented Randy with a plaque and certificate commemorating his selection as employee of the month for June 2015.

ITEM NO. 3. PRESENTATION OF SCHOLARSHIP RECOGNITION TO REECE RODGERS

City Manager Getchell recognized Reece Rodgers as the recipient of a scholarship awarded by an anonymous donor to a City of Euless employee's child. She highlighted excerpts of Reece's essay and presented him with a one thousand dollar scholarship. Reece was

accompanied by his father, Robbie Rodgers, mother, Cathy, grandmother, Carolyn Dominick, and nana, Betty Rodgers.

ITEM NO. 4. SELECTION OF MAYOR PRO TEM

Council Member Tompkins motioned to nominate Council Member Tim Stinneford to serve as Mayor Pro Tem.

Council Member Bynum seconded the motion.

Ayes: Mayor Martin, Council Members Stinneford, Tompkins, Price, Eilenfeldt, and Bynum

Nays: None

Mayor Martin declared the motion carried.

CONSENT AGENDA *(items 5 through 9)*

Mayor Martin asked Assistant City Manager Chris Barker to read each item into the record.

Mayor Pro Tem Stinneford motioned to approve the consent agenda items number 5 through 9.

Council Member Price seconded the motion.

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

Nays: None

Mayor Martin declared the motion carried.

ITEM NO. 5. APPROVED EXTENSION OF CONTRACT THROUGH A JOINT PURCHASE AGREEMENT WITH THE CITY OF HURST

Approved an extension of a contract with Ed's Electric Lighting Service, Inc., 7160 Baker Boulevard, Richland Hills, Texas, through a joint purchase agreement with the City of Hurst for routine electrical and emergency repair services. All work will be done on an as-needed basis. The estimated annual expenditure is $120,000.

ITEM NO. 6. AWARDED BID NO. 004-15

Awarded Bid No. 004-15 for a construction contract to Atkins Brothers Equipment Company, Inc., 3516 Old Fort Worth Road, Midlothian, Texas, for the FY 2015 Gate Valve Replacement Project and authorized the City Manager to enter into a contract with Atkins Bros. Equipment Co., Inc. The project includes the replacement of three large gate valves along the 24-inch water main serving the northeast area of the City to ensure that the water main can be isolated in the event of a water break or other emergency. The valves will be

installed at Cinnamon Lane and Main Street; Fuller-Wiser Road and Anice Lane; and Fuller-Wiser Road and Ash Lane. The estimated expenditure of $141,800 falls below the budgeted estimated expenditure of $200,000.

ITEM NO. 7. APPROVED EXTENSION OF CONTRACT PER REQUEST FOR PROPOSAL NO. 013-10

Approved extension of contract per Request for Proposal No. 013-10 with LDI Integrated Pharmacy Services for Pharmacy Benefit Management (PBM) services related to the City's health insurance plan from October 1, 2015 through September 30, 2016. The annual estimated expenditure is $44,175.

ITEM NO. 8. APPROVED EXTENSION OF CONTRACT PER REQUEST FOR PROPOSAL NO. 013-12

Awarded extension of contract per Request for Proposal No. 013-12 with Dearborn National for group term life insurance, short term disability insurance, long term disability insurance, and optional life products from October 1, 2015 through September 30, 2017.

ITEM NO. 9. APPROVED CITY COUNCIL MINUTES

Approved City Council minutes of the regular meeting of May 12, 2015 and the special called meeting of May 19, 2015.

REGULAR AGENDA

ITEM NO. 10. APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 2066

Assistant City Manager Barker informed the City Council that Euless is a member of the Atmos Cities Steering Committee (ACSC) which negotiates on behalf of member cities with Atmos Energy Corporation, Mid-Tex Division when they seek rate increases. In May 2014, the City Council passed a resolution denying the 2014 requested rate increase on the advice of the ACSC. Ordinance No. 2066 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.

City Manager Getchell explained the function and role that the Atmos Cities Steering Committee serves.

Council Member Bynum motioned to approve Ordinance No. 2066, approving a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division regarding their 2014 and 2015 Rate Review Mechanism (RRM) filing.

Council Member Eilenfeldt seconded the motion.

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

Nays: None

Mayor Martin declared the motion carried.

ITEM NO. 11. APPROVED SECOND AND FINAL READING OF ORDINANCE NO. 2062

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. The City Council held a public hearing on May 12, 2015, and approved the Specific Use Permit by a 4-2-0 vote. Per the Euless City Charter, all ordinances require five affirmative votes to waive a second reading. 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.

Mayor Pro Tem Stinneford stated that this use is not the best long-term use for the property and the SUP is intended for a short term, temporary use of the property while the bridge is under construction.

Council Member Tompkins motioned to approve the second 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.

Mayor Pro Tem Stinneford seconded the motion.

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

Nays: None

Mayor Martin declared the motion carried.

ITEM NO. 12. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 15-06-SUP AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 2064

Mayor Martin opened the public hearing at 7:22 p.m.

Director of Planning and Economic Development Collins presented the item to the City Council and advised that the applicant, Aqeel Al Sbihawi representing SIT Auto Care, Inc., dba State Inspection and Tire Shop, previously came before the City Council for a Specific Use Permit in 2014 and intends to continue the following services: tire service, exhaust system service, light auto repair and maintenance, and state inspections. The Planning and Zoning Commission held a public hearing on May 5, 2015, and recommended approval by a 7-0-0 vote with the following conditions:

1. The Specific Use Permit is tied to the business owner, SIT Auto Care, Inc.; and
2. The Specific Use Permit is tied to the business name State Inspection and Tire Shop; and
3. The specific automotive services that are permitted to be performed include: tire service, exhaust system service, light auto repair and maintenance, and state inspections (no other general or heavy auto repair services are permitted); and
4. 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
5. All repair of vehicles, including but not limited to: tire repair, mechanical repair and maintenance operations will be conducted within the building; and
6. Outdoor storage of vehicles or merchandise is not permitted within view of the public right-of-way; and
7. 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.

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 7:23 p.m.

Council Member Bynum inquired about landscaping and plantings and asked that staff ensure that it is done.

Mayor Pro Tem Stinneford inquired about enforcement of landscaping requirements.

Mayor Pro Tem Stinneford motioned to approve the first and final reading of Ordinance No. 2064 for a Specific Use Permit for auto services proposed to be located on Oakwood Terrace Addition, Block 1, Lots A41R and A42R, 407 West Euless Boulevard in the Texas Highway 10 Multi-Use District (TX-10)

Council Member Tompkins seconded the motion.

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

Nays: Council Member Bynum

Mayor Martin declared the motion carried.

ITEM NO. 13. HOLD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 15-07-SUP AND CONSIDER FIRST AND FINAL READING OF ORDINANCE NO. 2065

Mayor Martin opened the public hearing at 7:26 p.m.

Director of Planning and Economic Development Collins presented the item to the City Council and advised that Jesus Cardenas, Jr., representing DFW Bimmer, is seeking a renewal of a Specific Use Permit originally approved April 8, 2014, for specific automotive repair located at 1361 West Euless Boulevard, Suite 205. His success at repairing BMW's has led him to a desire to expand his business by purchasing a few BMW's from auction, repairing them, and selling them by internet only from his location. The space his business occupies has been previously occupied as an internet auto sales location. Mr. Cardenas has been informed of the conditions in which internet auto sales have been previously approved in Euless and is willing to comply with those conditions. Additionally, the Planning and Zoning Commission considered this site plan at their regular meeting of May 5, 2015, and recommended approval by a 7-0-0 vote with the following conditions:

1. The Specific Use Permit is tied to the business owner: Jesus Cardenas Jr.; and
2. The Specific Use Permit is tied to the business name: DFW Bimmer; and
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; and
4. Outdoor storage of vehicles or exterior display of merchandise, are not permitted; and,
5. The services allowed at this facility are as follows: Replace vehicle battery, electrical diagnosis and repair, fuses, lights, reset dash lights (CBS, TPM, ABS, DSC, MIL, ETC.). Vehicle computer programming, window lift repair, interior trim repairs, brakes, oil leak repairs, cooling system repairs. Auto services not listed here are thereby prohibited; and
6. No outdoor advertising display for auto sales other than a permitted sign indicating the name of the business; and
7. No outdoor storage or display of vehicles being offered for sale; and

8. No more than five gallons of fuel stored per vehicle (including fuel in the vehicle gas tank) and no more than thirty gallons stored within the facility; and
9. 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.

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 7:28 p.m.

Council Member Bynum stated he spoke to several members of the Planning and Zoning Commission who commended Mr. Cardenas for the cleanliness of his facility and that it appeared to be a very well run business.

Council Member Bynum motioned to approve the first and final reading of Ordinance No. 2065 for a request for a Specific Use Permit for specific service automotive repair and internet auto sales proposed to be located on State Highway 10 Business Center Addition, Block A, Lot 2, 131 West Euless Boulevard, Suite 205, in the Community Business District.

Council Member Eilenfeldt seconded the motion.

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

Nays: None

Mayor Martin declared the motion carried.

ITEM NO. 14. PUBLIC COMMENTS

Darl Easton, 1005 Fayette Drive, Euless, stated that he was pleased that both the Precouncil presentations and Council presentations are now available online for viewing. He expressed his concern that the visitor sign-in book is not available at Precouncil meetings and asked that the issue be revisited. Last, he encouraged the City Council to remove the Stage I watering restrictions as other cities have begun to do and asked that the City Council trust the citizens to not waste water.

ITEM NO. 15. REPORTS

<u>City Manager</u>

No report given.

<u>City Attorney</u>

No report given.

<u>City Council</u>

Council Member Tompkins commended the City Manager and staff for the ability to livestream the meetings. He stated that he was able to view the last meeting live as he was out of town.

Mayor Martin announced that the Out of School Summer Bash and Reading Club Party will be held on Friday, May 29, 2015, from 4:00 – 8:30 p.m. at the Leon Hogg Amphitheater.

Mayor Martin announced that the next City Council meeting will be held Tuesday, June 9, 2015, in the Council Chambers at City Hall.

ITEM NO. 16. ADJOURN

Mayor Martin adjourned the meeting at 7:34 p.m.

APPROVED: **ATTEST:**

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Linda Martin, Mayor Kim Sutter, TRMC, City Secretary