

**MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
Tuesday, September 24, 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, September 24, 2013, in the Precouncil Conference Room of City Hall, 201 North Ector Drive. Those present included Mayor Mary Lib Saleh, Council Members Tim Stinneford, Linda Martin, Linda Eilenfeldt, Glenn Porterfield, and Perry Bynum. Mayor Pro Tem Leon Hogg was not present due to a scheduled absence.

During the Precouncil meeting:

- Council Member Linda Eilenfeldt announced the following:
 - She attended the Grapevine-Colleyville Independent School District Technology Education and Career Center Open House on September 12, 2013;
 - Hurst-Euless-Bedford Independent School District is opening the new Gene A. Buinger Career and Technical Education Academy in August 2014;
 - Complimented the Library Department on the implementation and roll out of e-books; and
 - 6Stones Fall Festival will be held on October 26, 2013, at the Community Garden located in Bedford.

- Mayor Mary Lib Saleh announced that Atmos Energy is hosting a 6Stones Community Powered Revitalization Cookout on October 10, 2013, from 4:30 to 6 p.m. at the Community Garden in Bedford.

- City Manager Gary McKamie announced the following:
 - Introduced Director of Public Works Hal Cranor;
 - Clyde Mooney Award was presented to Mayor Saleh at the Hurst-Euless-Bedford Chamber Gala on September 21, 2013:
 - This is the highest award the Chamber bestows which recognizes the volunteer who has shown exceptional leadership and service in the community; and
 - Passing of Wayne Priddy and provided the service information.

- Director of Administrative Services Dale Harwell addressed the City Council regarding the Atmos Rate Review Mechanism (RRM) ordinance (Regular Agenda Item No. 6). He stated that the estimated average increase to a residential customer's bill will be approximately \$0.74 per month.

Mary Jean Maloney, Manager of Public Affairs, Atmos Energy, expressed her appreciation to the City Council for their consideration of the ordinance, and stated that the increase will be effective November 1, 2013.

- City Manager McKamie introduced Robert Hinkle, Director of Corporate Affairs, North Tarrant Express (NTE), Tommy Williamson, Public Information Coordinator, NTE, and

Rene Lamb, Professional Engineer, I-820/SH 121/SH 183 Project Manager, Texas Department of Transportation.

Mr. Hinkle presented an update regarding the progress of the NTE project, including the project impact and lane closures, which averages over 275 lane closures per month.

Mr. Williamson presented an update specific to the Airport Freeway south service road and Westpark Way, including timelines for the completion of lanes and ramps, and exhibits of the final configuration and ramp access. He further advised that traffic updates are provided on their social media pages (Facebook and Twitter), information hotline (1-888-NTE-2015), and on their project website (www.northtarrantexpress.com).

Ms. Lamb addressed questions from the City Council related to the project, including the construction design of the Westpark Way bridge and the impact to the current business located on the southwest corner of FM 157 and SH 183 (Cool Zone).

City Manager McKamie requested that a NTE representative provide an update to Director of Public Works Cranor regarding the replacement of the monument sign that was located in the median on Westpark Way, south of Airport Freeway. Additionally, he advised that the SB 1420 Committee will be meeting on October 1, 2013, to discuss the NTE Segment 2E portion of the project specific to the State Highway 183 Managed Lanes Project.

- Director of Planning and Economic Development Mike Collins presented the development update and reported that the *Dallas Business Journal* recognized Kelly Roberts, President and Chief Executive Officer, Ricochet Fuel Distributors, as being the sixth largest woman owned company in the Dallas Fort Worth (DFW) area. Additionally, he presented information related to growth in the area, sustainability of the multi-family market, DFW retail inventory, and positive economic indicators for retail growth.

City Manager McKamie provided an update regarding the expansion of Rio Grande Boulevard, and stated that an award of bid will be presented for consideration at a future City Council meeting, with construction expected to begin after the first of the year.

- City Manager McKamie addressed the City Council regarding the Tarrant Appraisal District Board of Directors nomination process, and advised that John Deithloff is interested in receiving the nomination. He stated that a resolution will be presented for consideration at the October 8, 2013, City Council meeting.
- City Secretary Kim Sutter addressed the City Council regarding proposed amendments to the City's sign ordinance related to political signs. She stated that the Planning and Zoning Commission was briefed at their September 17, 2013, meeting, and an ordinance will be presented to the City Council for consideration at their October 8, 2013, regular meeting.

- Fire Chief Wes Rhodes addressed the City Council regarding the purchase of a Pierce Fire apparatus, including benefits of a pumper truck, survey of 17 cities that were satisfied with the brand, and the convenience of Pierce service centers. Additionally, he stated that a request for purchase of the apparatus will be presented for consideration at the October 8, 2013, City Council meeting, with a projected delivery date of December 2013.
- Finance Director Janina Jewell provided the financial update for the period ending August 31, 2013, and advised that sales tax collections were up by 4.69 percent for the month, however if you removed audit adjustments for both years, the increase would be over nine (9) percent, with year-to-date sales tax collections up almost eight (8) percent. Additionally, she stated that car rental tax was up by five (5) percent when compared to the prior year.
- Director of Public Works Cranor presented the water update. He stated that the Tarrant Regional Water District (TRWD) storage capacity is at 66 percent. He added that the recent rainfall raised the Richland Chambers lake level by 3 inches but the drought is expected to continue until next year. Additionally, he reported on the status of the far north, 1400 North Main Street, and Fuller wells.
- City Secretary Sutter presented an update related to the Board and Commission Appointment process.
- City Manager McKamie reviewed the regular agenda.

Council Member Glenn Porterfield requested that city staff evaluate the possibility of encouraging drivers to cease cell phone use while operating a motor vehicle.

City Manager McKamie stated that city staff will provide a report on cell phone use while operating a motor vehicle, and will verify the timing of the traffic signal at Harwood Road and Industrial Boulevard.

CLOSED SESSION

The City Council convened into closed session at 6:10 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
- Azadpour 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 related to:

- Crethaven

The City Council recessed closed session at 6:45 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
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
Library Administrator Sherry Knight
Human Resources/Risk Administrator Carolyn Marshall
Fleet and Facility Administrator Kyle McAdams
Senior Planner Stephen Cook
Development Secretary Michele Crooks
Computer Support Specialist II Jake Dilliplane
Firefighter/Driver Engineer Jeremy Goodman
Police Captain Gary Landers
Inspector II Jeff Lee
Human Resources Benefit Technician Anniece McKanna
Senior Inspector Jim Moy
Building Official Don Sheffield
Firefighter/Driver Engineer Chris Sutterfield
Police Sergeant Brandon Zachary

VISITORS

Sherri Browning	Michael Davenport	Jake Thomasson
Lisa Bynum	Darl Easton	Peggy Vandiver
Shirley Daily	William Henderson	Warren Wilson
Annie Davenport	Paul Kuhar	Patricia Wood
Aubrey Davenport	George Moore	
Dyson Davenport	Carroll "Scotty" Scott	
Kay Davenport	Barney Snitz	

Cub Scout Pack No. 387 and others as noted in the visitor register.

INVOCATION

Police Chief Mike Brown gave the invocation.

PLEDGE OF ALLEGIANCE

Cub Scout Pack No. 387 and Cubmaster William Henderson led the pledge of allegiance.

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

Director of Planning and Economic Development Collins introduced Administrative Secretary Alicia Davenport. Alicia was accompanied by her husband, Michael, daughters, Annie, Dyson, and Aubrey, mother-in-law, Kay, and members of the Planning and Economic Development Department.

Mayor Saleh presented Alicia with a plaque and certificate commemorating her selection as employee of the month for October 2013.

ITEM NO. 2. PRESENTATION OF PROCLAMATION

Mayor Saleh presented a proclamation to Fire Chief Rhodes, Firefighter/Driver Engineer Chris Sutterfield, and Firefighter/Driver Engineer Jeremy Goodman proclaiming October 6 through 12, 2013, as Fire Prevention Week.

Fire Chief Rhodes advised of the importance of the date October 8, 1871, which included both the Great Chicago Fire and the Peshtigo Fire in Wisconsin. Additionally, he announced that during Fire Prevention week the Fire Department will be visiting the elementary schools in the City.

CONSENT AGENDA (items 3 and 4)

Mayor Saleh read the items into the record.

Assistant City Manager Chris Barker reviewed the consent agenda items.

Council Member Martin motioned to approve the consent agenda items number 3 and 4.

Council Member Stinneford seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 3. AUTHORIZED THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH TARRANT COUNTY

Authorized the City Manager to execute an Interlocal Agreement with Tarrant County for asphalt overlay improvements to South Ector Drive, North Ector Drive, Trojan Trail, and Midway Drive. The estimated expenditure is \$300,000.

Tarrant County will provide the labor, superintendence, and equipment necessary to place an HMAC overlay on South Ector Drive from State Highway (SH) 10 to SH 183, North Ector Drive from SH 183 to Trojan Trail, Trojan Trail from SH 157 to North Ector Drive, and Midway Drive from North Ector Drive to Main Street. The City will provide the actual materials used in the project.

ITEM NO. 4. APPROVED CITY COUNCIL MINUTES

Approved City Council minutes of the regular meeting of September 10, 2013.

REGULAR AGENDA**ITEM NO. 5. APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 2010**

Council Member Stinneford motioned to approve the first and final reading of Ordinance No. 2010, reappointing Kenneth C. Whiteley and Tim Murphy as Associate Judges of the Municipal Court of Record for two (2) year terms, expiring September 30, 2015.

Council Member Eilenfeldt seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 6. APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 2011

Council Member Martin motioned to approve Ordinance No. 2011, approving and adopting the first annual Rate Review Mechanism (RRM) rate increase for Atmos Mid-Tex negotiated between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division.

Council Member Eilenfeldt seconded the motion.

Director of Administrative Services Harwell presented the item to the City Council, and advised that the City, along with approximately 164 other cities served by Atmos Energy Mid-Tex Division (Atmos Mid-Tex or Company), is a member of the Atmos Cities Steering Committee (ACSC). On May 28, 2013, Ordinance No. 1994 was approved which accepted the RRM which provides for a reasonable expedited rate review process. On July 15, 2013, Atmos Mid-Tex filed with the City an application to increase natural gas rates pursuant to the RRM tariff, and this is the first annual RRM filing under the renewed RRM tariff. The ordinance is the result of negotiations between ACSC and the Company to resolve issues

raised by ACSC during the review and evaluation of Atmos Mid-Tex's RRM filing. The Company agreed to forgo any change to the base residential customer charge; therefore, the entirety of the increase to the residential class will be applied to the commodity (natural gas consumption) component of rates. The settlement is expected to increase the average residential customer's bill by approximately \$0.74 per month and will be effective for bills rendered on or after November 1, 2013. The ACSC Executive Committee and ACSC legal counsel recommend that all ACSC Cities adopt the Ordinance implementing the rate change.

Council Member Bynum asked Mr. Harwell to explain the ACSC's role.

Director of Administrative Services Harwell stated that the City, along with approximately 164 other cities within the state of Texas, make up the committee. He stated that the committee appointed legal counsel for the RRM review process with an executive committee representing the member cities.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 7. APPROVED REQUEST FOR A TEMPORARY USE PERMIT NO. 13-05-CC

Council Member Eilenfeldt motioned to approve Temporary Use Permit No. 13-05-CC for a Greek Food Festival to be located on Alexander and Cullum Subdivision, Lot 6R and Lot 7R, 303 Cullum Drive, for three (3) consecutive days beginning October 11, 2013, from 11 a.m. to 10 p.m., continuing on October 12, 2013, from 10 a.m. to 10 p.m., and concluding on October 13, 2013, from 11 a.m. to 4 p.m.

Council Member Porterfield seconded the motion.

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

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 8. REQUEST BY GEORGE R. MOORE TO ADDRESS CITY COUNCIL

George Moore, 1104 Aransas Drive, Euless, stated that the agenda listed his topic to address fire hydrants, but he wished to address his concerns regarding Ordinance No. 1942, specific to building regulations. He stated that the code requires him to obtain a permit for foundation repair at his residence and he believed that the City should not require residents to obtain permits for that type of work.

ITEM NO. 9. PUBLIC COMMENTS

Patricia Wood, 1608 Toplea Drive, Euless, acknowledged City Manager McKamie for his efforts to regulate three, home-based businesses within her neighborhood. She expressed her concern regarding each of the homes, and requested that the City immediately shut down the home-based businesses.

Mayor Saleh stated that city staff will contact Ms. Wood regarding her concerns.

ITEM NO. 10. REPORTS

City Manager

City Manager McKamie recognized Mayor Saleh as the recipient of the Clyde Mooney Award presented at the Hurst-Euless-Bedford Chamber Gala on September 21, 2013. Additionally, he introduced recently hired Director of Public Works Hal Cranor.

City Attorney

No report given.

City Council

Mayor Saleh announced that National Night Out will be held on October 1, 2013, at 7 p.m., and that Tarrant County Commissioner Gary Fickes, Precinct 3, is hosting the annual Empowering Seniors event on October 4, 2013, at the First Baptist Church of Euless Campus West in Bedford.

ITEM NO. 11. ADJOURN

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

APPROVED:

ATTEST:

Mary Lib Saleh
Mayor

Kim Sutter, TRMC
City Secretary