

**MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
Tuesday, May 10, 2016**

A regular meeting of the Euless City Council was called to order by Mayor Linda Martin at 4:31 p.m. on Tuesday, May 10, 2016, in the Precouncil Conference Room of City Hall, 201 North Ector Drive. Those present included Mayor Linda Martin, Mayor Pro Tem Tim Stinneford, Council Members Jeremy Tompkins, Eddie Price, Linda Eilenfeldt, and Harry Zimmer. Council Member Perry Bynum arrived at 4:47 p.m.

During the Precouncil meeting:

- Mayor Linda Martin congratulated Mayor Pro Tem Tim Stinneford and Council Member Eddie Price on their reelection to the City Council.
- Council Member Jeremy Tompkins advised that he attended several events on Saturday, April 30, 2016, including the plant exchange at J.A. Carr Park and was impressed with the turnout.
- City Secretary Kim Sutter advised that a total of 1,037 ballots were cast in the Saturday, May 7, 2016 General Election accounting for 3.6 percent of registered voters. The election will be canvassed on Tuesday, May 17, 2016, at 2:00 p.m.
- Police Chief Mike Brown announced that he will place a wreath at the Police and Fire Memorial in front of the Fire Administration Building for fallen Euless Officers Michael Williamson and David Hofer on Friday, May 13, 2016, at 9:00 a.m. in honor of National Police Officer Memorial Day.
- Fire Chief Wes Rhodes announced the Euless Citizens Fire Academy Graduation will be held Thursday, May 12, 2016, at 7:00 p.m. at the Mary Lib Saleh Euless Public Library and a badge pinning ceremony will be held Thursday, May 19, 2016, at 3:30 p.m. at City Hall.
- City Manager Loretta Getchell made several announcements:
 - Euless Citizens Police Academy graduation, Thursday, May 19, 2016, 7:00 p.m., Texas Star Golf Course;
 - Tongan Youth of Texas graduation, Friday, May 20, 2016, 8:00 p.m., Trinity High School cafeteria;
 - Police Corporal Chuck Skiles will retire Tuesday, May 31, 2016, and Computer Support Specialist Jake Dilliplane will retire Friday, May 27, 2016;
 - Police Department Appreciation Golf Tournament, Wednesday, May 25, 2016, 7:00 a.m., Texas Star Golf Course;

- US Concrete will hold an event at the Aquatic Center on Sunday, June 12, 2016 for its employees but the Aquatic Center will remain open to the public.

Police Chief Brown expressed his appreciation to Hurst-Euless-Bedford Independent School District (HEB ISD) Superintendent Steve Chapman for his assistance and support of the Police Department in recent months.

- City Manager Getchell reviewed the regular agenda.
- Library Administrator Sherry Knight introduced HEB ISD Superintendent Steve Chapman, Deanne Hullender, PR and Marketing Officer, and Kiera Elledge, Coordinator of Libraries and STEM Education.

Superintendent Chapman discussed the HEB Reads event held Saturday, April 30, 2016, and recognized Mayor Martin and the City Council, City Manager Loretta Getchell, Library Administrator Sherry Knight, Recreation Manager Suzanne Hendrickson, and Fire Inspector Ken Rawlinson for their assistance in ensuring the event's success. He advised that approximately 4,000 people attended.

Council Member Linda Eilenfeldt expressed her appreciation to the Library and Parks Department staff for their hard work.

- Police Lieutenant Brandon Zachary presented the Code update and included code violation statistics over previous years and examples of current Code issues in the City.
- Assistant City Manager Chris Barker presented an update on the bankruptcy of Oncor's parent company, Energy Future Holdings. Additionally, he provided information from the Atmos Steering Committee regarding a rate change set to take effect June 1, 2016. The new rate will have an average impact of \$1.26 per month to residential customers and an average impact of \$3.81 per month to commercial customers. An ordinance will be presented at the next City Council meeting to approve the new Atmos rate.

Discussion ensued regarding City participation in the Atmos Steering Committee.

- Assistant City Manager Barker presented an update on the Midtown Express project and provided details on water and sewer line replacements in the project area. An agreement will be presented at the next City Council meeting to adjust utilities in the Midtown Express area which has previously been approved in the budget. The next Midtown Express Business Owner Task Force will be held May 25, 2016, at 9:30 a.m. at City Hall.

- Finance Director Janina Jewell presented the Financial update for the period ending March 31, 2016. Car rental sales tax was down six percent over the same time period last year but total year to date has shown an increase of one percent.

The Precouncil meeting adjourned at 6:42 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 and Engineering Hal Cranor
Director of Parks and Community Services Ray McDonald
Fire Chief Wes Rhodes
Finance Director Janina Jewell
Assistant to the City Manager Betsy Deck
Information Services Administrator Scott Joyce
Fleet and Facility Administrator Kyle McAdams
Texas Star General Manager Glenda Hartsell-Shelton

VISITORS

Heath Barber	Don Martin	Barney Snitz
Jim Dewey	Philip Miles	Lori Tompkins
Teresa Dillaplane	Zack Penn	Mavy Wright
Eileen Johnson	Kay Price	

INVOCATION

Council Member Linda Eilenfeldt gave the invocation.

PLEDGE OF ALLEGIANCE

Council Member Jeremy Tompkins led the pledge of allegiance.

ITEM NO. 1. PRESENTATION OF EMPLOYEE SERVICE PINS

Information Services Administrator Scott Joyce introduced Computer Support Specialist Jake Dilliplane. Jake was accompanied by his wife, Teresa, and members of the Information Services Department. Mayor Martin presented Jake with a service pin commemorating his 10 years of service with the City.

Fire Chief Wes Rhodes introduced Firefighter/Paramedic Saul Padilla. Saul was accompanied by his wife, Sherree, daughters, Alyssa, Alivia, and Emila, and members of the Fire Department. Mayor Martin presented Saul with a service pin commemorating his 10 years of service with the City.

Fire Chief Wes Rhodes introduced Secretary Melissa Thomas. Melissa was accompanied by her friend, Betty Priddy, and members of the Fire Department. Mayor Martin presented Melissa with a service pin commemorating her 15 years of service with the City.

ITEM NO. 2. PRESENTATION OF SCHOLARSHIP RECOGNITION TO CARLY POTEET

City Manager Getchell recognized Carly Poteet as the recipient of a scholarship awarded by an anonymous donor to a City of Euless employee's child. She highlighted excerpts of Carly's essay and presented her with a one thousand dollar scholarship. Carly was accompanied by her father, Jerry Poteet, and mother, Margaret Poteet.

CONSENT AGENDA (items 3 and 4)

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 3 and 4.

Council Member Tompkins seconded the motion.

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

Nays: None

Mayor Martin declared the motion carried.

ITEM NO. 3. AWARDED REQUEST FOR PROPOSAL NO. 007-16

Approved Request for Proposal No. 007-16 with LDI Integrated Pharmacy Services for Pharmacy Benefit Management (PBM) services related to the City's health insurance

plan from October 1, 2016 through September 30, 2018. The initial contract term will be two years with two renewal options. The annual estimated expenditure is \$39,354.

ITEM NO. 4. APPROVED CITY COUNCIL MINUTES

Approved City Council minutes of the regular meeting of April 26, 2016.

REGULAR AGENDA

ITEM NO. 5. HELD PUBLIC HEARING AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 2106

Mayor Martin opened the public hearing at 7:18 p.m.

Director of Planning and Economic Development Collins presented the item to the City Council. He advised that the applicant, Zack Penn representing Key Life Homes, is proposing to develop the property for a single family residential development. The property is currently zoned R-1 Single Family Detached Dwelling district. Key Life Homes is requesting to rezone the property to a Planned Development district in order to manage and design the property to alternative design standards in order to efficiently utilize the property and to bring forward a higher quality housing development. The Planning and Zoning Commission considered this Planned Development at their regular meeting of April 5, 2016, and voted to recommend approval with a vote of 6-0-0.

Mayor Martin asked to hear from any proponents.

Jim Dewey, JDJR Engineers, 2500 Texas Drive #100, Irving, expressed his appreciation to City staff for their assistance in working with him. He reviewed lot sizes, masonry screening requirements, and drainage issues.

Zack Penn, 300 Running Bear Court, Euless, advised that he moved to Euless from Irving and stated that he and his wife believe the development will bring value to the community. He discussed the various home designs.

Bob Price, 1713 Chittam Drive, Euless, stated that he lives outside of the required notification area but as the former Director of Public Works for the City of Southlake he believes neighbors could be adversely affected due to reduced privacy and drainage. He added that he thinks fence height should be consistent around the property.

Mayor Martin asked to hear from any opponents of the case.

Susan Mendes, 1701 Chittam Drive, Euless, acknowledged that the drainage issue seems to have been addressed by the developer and engineer but she also expressed concerned about a large tree that provides shade to several neighbors and houses owls every year. She expressed concerned about windows overlooking her house, and assurance that if the windows were replaced by the homeowner, that the homeowner

would be required to install translucent windows. Further, she asked for clarification related to the 15 foot setback, and stated that an eight foot fence is important to her.

Eileen Johnson, 1707 Chittam Drive, Eules, advised that she and her neighbors would appreciate an eight foot fence all the way around the property and does not want second story decks overlooking yards, and expressed her concerns regarding the drainage.

David Crandall, 1607 Chittam, Eules, inquired about saving existing trees and requested an eight foot fence.

Mr. Dewey addressed citizen concerns and advised that as the engineer of record his license is at risk if drainage and other issues are done incorrectly. He advised that his recommendation for fencing is a uniform six foot board-on-board cedar fence and he expressed his willingness to go to great lengths to save the existing trees if possible.

Mayor Martin closed the public hearing at 7:46 p.m.

Council Member Eilenfeldt asked Mr. Penn about translucent windows and any issues he might have in selling the homes.

Mr. Penn confirmed that similar homes have sold in other developments with translucent windows and he sees no issue.

Council Member Bynum stated that he would be in favor of an eight foot fence.

Mr. Penn advised that the translucent windows are a tradeoff to an eight foot fence but it will be a higher quality fence than originally planned. Additionally, he stated that said second floor balconies can be eliminated.

Mayor Pro Tem Stinneford inquired about why the stipulation of an eight foot fence is such a sticking point if citizens are raising privacy concerns.

Mr. Penn advised that other upgrades have been made and he would prefer to keep the fence at six feet but will agree to an eight foot pine wood fence.

Council Member Eilenfeldt motioned to approve the first and final reading of Ordinance No. 2106, to change the zoning on 9.2562 acres of land within the B. F. Crowley Survey, Abstract No. 320 from Single Family Detached Dwelling (R-1) zoning district to Planned Development (PD) zoning with the change of the Homeowner's Association Covenants, Conditions, and Restrictions to contain a statement that windows installed with translucent glass shall only be replaced with translucent glass, an eight foot fence shall be constructed along the eastern property line, and the restriction of no second floor balconies on any houses located along the perimeter of the subdivision, which includes Block A, Lots 1-25.

Council Member Zimmer seconded the motion.

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

Nays: Bynum

Mayor Martin declared the motion carried.

ITEM NO. 6. HELD PUBLIC HEARING AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 2105

Mayor Martin opened the public hearing at 8:06 p.m.

Director of Planning and Economic Development Collins presented the item to the City Council. He advised that the five lots within this zoning change request were acquired by the City of Euless related to the amortization of apartments previously located at the intersection of Dickey Drive and East Alexander Drive. The City Council authorized the sale of these city owned lots through a sealed bid auction and Bloomfield Homes was the highest bidder. As its current owner, the city is initiating the zone change request. The Planning and Zoning Commission considered this Planned Development at their regular meeting of April 5, 2016, and voted to recommend approval with a vote of 6-0-0.

Mayor Martin asked to hear from any proponents followed by opponents of the case. There being none, Mayor Martin closed the public hearing at 8:07 p.m.

Council Member Bynum motioned to approve the first and final reading of Ordinance No. 2105, to change the zoning on 1.087 acres of land recorded as Oak Crest Estates, Block 1, Lots 1R and 2R1, and Block 2, Lots 1R, 2RA2 and 2RA1 from Single Family Detached Dwelling (R-1) zoning district to Planned Development (PD) zoning.

Mayor Pro Tem Stinneford seconded the motion.

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

Nays: None

Mayor Martin declared the motion carried.

ITEM NO. 7. HELD PUBLIC HEARING AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 2107

Mayor Martin opened the public hearing at 8:08 p.m.

Director of Planning and Economic Development Collins presented the item to the City Council. He advised that Lennar Homes is the developer and home builder of four subdivisions within the Riverwalk Planned Development zoning district. Due to the

strong home sales within these subdivisions, the company has requested the opportunity to increase their largest subdivision, The Dominion at Bear Creek. The subject parcel is located immediately to the west of the existing subdivision. The development proposes 67 single family residential lots and five open space lots. The Planning and Zoning Commission considered this Planned Development at their regular meeting of April 5, 2016, and voted to recommend approval with a vote of 5-0-0.

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

David Aughinbaugh, 1707 Marketplace Boulevard, Suite 250, Irving, representing Lennar Homes, expressed his appreciation to the City Council and staff for their partnership over the last three years.

Mayor Martin asked to hear from any opponents of the case.

Mayor Martin closed the public hearing at 8:12 p.m.

Mayor Pro Tem Stinneford motioned to approve the first and final reading of Ordinance No. 2107, to change the zoning on 16.162 acres of land in the Adam Bradford Survey, Abstract No. 152, Midway Square Addition, Block B and part of Lot 2 located at the southeast corner of Midway Drive and Fuller-Wiser Road from Community Business (C-2) zoning district to Planned Development (PD) zoning.

Council Member Bynum seconded the motion.

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

Nays: None

Mayor Martin declared the motion carried.

ITEM NO. 8. APPROVED SITE PLAN NO. 16-01-SP

Director of Planning and Economic Development Collins presented the item to the City Council. He advised that during the Planning and Zoning Commission public hearing on April 5, 2016, regarding the zoning change, an adjacent property owner voiced concern about the proximity of the residential development on the subject property to the commercial zoned property that they own and have future plans to develop. A new site plan was submitted by Lennar that would establish a 100 foot open space buffer on the south side of their property, which is immediately adjacent to undeveloped commercially zoned property. The Planning and Zoning Commission considered the amended Site Plan at their regular meeting of May 3, 2016, and voted to recommend approval with a vote of 7-0-0.

Council Member Tompkins inquired about the open spaces and the six foot sidewalks included in the plan.

David Aughinbaugh, 1707 Marketplace Boulevard, Suite 250, Irving, representing Lennar Homes, advised that the six foot sidewalks are part of the Riverwalk design and mentioned the hike and bike trails.

Council Member Eilenfeldt motioned to approve Site Plan No. 16-01-SP, for Single Family Residential Development proposed to be located on 16.162 acres of the Adam Bradford Survey, Abstract No. 152, Midway Square Addition Block B, Part of Lot 2 located at the southeast corner of Midway Drive and Fuller-Wiser Road.

Council Member Bynum seconded the motion.

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

Nays: None

Mayor Martin declared the motion carried.

ITEM NO. 9. HELD PUBLIC HEARING AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 2108

Mayor Martin opened the public hearing at 8:18 p.m.

Director of Planning and Economic Development Collins presented the item to the City Council. He advised that the applicant, Iglesia Pentecostal Unida Hispana Incorporated, intends to lease space at 820 Wilshire Drive. The parking has proven to be adequate for offpeak hour assembly. In the case of additional demand for parking, the owner of Adam's Automotive, the lot to the south has granted permission by letter for the place of worship to utilize their parking lot for overflow parking during the Sunday 3:00 p.m. services. This type of cross parking agreement is allowed within the same zoning district within 300 feet of the subject parcel. The Planning and Zoning Commission considered this Specific Use Permit at their regular meeting of April 19, 2016, and voted to recommend approval with a vote of 6-0-0 with the following conditions:

1. Tied to the church pastor, Julio C Mazariego;
2. Tied to the church name: Iglesia Pentecostal Unida Hispana Inc.;
3. No parking will be allowed on any unimproved surface;
4. 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;
5. 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 of the case. There being none, Mayor Martin closed the public hearing at 8:20 p.m.

Council Member Tompkins inquired about hours of operation and signage.

Mr. Collins advised that the hours of operation will be typical worship hours on Sundays and a sign permit would cover signage but the issue was not specifically addressed during the specific use permit process.

Pastor Julio Mazariego, 820 Wilshire Drive, Euless, informed the City Council that the church would hold services on Sundays at 3:00 pm, Wednesdays, and Fridays.

Council Member Eilenfeldt inquired about the letter from Adam's Automotive that would allow for additional parking is only for Sundays and would not apply to Wednesday and Friday.

Pastor Mazariego confirmed that the agreement with Adam's Automotive only applies to Sunday services.

Mayor Pro Tem Stinneford motioned to approve the first and final reading of Ordinance No. 2108, a Specific Use Permit for a Place of Worship on Oakwood Terrace Addition, Block 16, Lot A1A1, 820 Wilshire Drive, Suite B, 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, Eilenfeldt, Zimmer, and Bynum

Nays: None

Mayor Martin declared the motion carried.

ITEM NO. 10. HELD PUBLIC HEARING AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 2109

Mayor Martin opened the public hearing at 8:23 p.m.

Director of Planning and Economic Development Collins presented the item to the City Council. He advised that the applicant, New Lives for Old, was granted a Specific Use Permit for a Place of Worship on March 24, 2015, at 414 West Euless Boulevard. The Texas Highway 10 zoning district requires a Specific Use Permit for all places of worship. The northern portion of this property is the location of the property owner's primary business, Republic Tire. There are at least 20 parking spaces available to the church and when services are held on Sundays, Republic Tire is closed. The Planning and Zoning Commission considered this Specific Use Permit at their regular meeting of April 19, 2016, and voted to recommend approval with a vote of 6-0-0 with the following conditions:

1. Tied to the church pastor, Marvin "Bunky" Mitchell;

2. Tied to the church name: New Lives for Old;
3. 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 of the case. There being none, Mayor Martin closed the public hearing at 8:24 p.m.

Council Member Bynum motioned to approve the first and final reading of Ordinance No. 2109, a Specific Use Permit for a Place of Worship on Andrew Huitt Survey Abstract 684, Tract 1102B, 414 W. Eules Boulevard, Texas Highway 10 multi-use district (TX-10).

Council Member Price seconded the motion.

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

Nays: None

Mayor Martin declared the motion carried.

ITEM NO. 11. HELD PUBLIC HEARING AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 2110

Mayor Martin opened the public hearing at 8:26 p.m.

Director of Planning and Economic Development Collins presented the item to the City Council. He advised that the applicant, Randy Childers, was originally approved for a Specific Use Permit on September 23, 2014. Since then, staff has had no issues with the applicant's business operation under the Specific Use Permit. Mr. Childers is requesting a Specific Use Permit for internet auto sales of vehicles to occupy approximately 7,000 square feet of leased space for office space and interior storage of vehicles for sale. The Planning and Zoning Commission considered this Specific Use Permit at their regular meeting of April 19, 2016, and voted to recommend approval with a vote of 6-0-0 with the following conditions:

1. Tied to the business owner, Mr. Randy Childers;
2. Tied to the business name: A.B.C Auto Credit Inc.;
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 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 30 gallons stored within the facility;
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 of the case. There being none, Mayor Martin closed the public hearing at 8:27 p.m.

Council Member Bynum motioned to approve the first and final reading of Ordinance No. 2110, a Specific Use Permit for Online Auto Sales to be located at 1105 Pamela Drive in the Light Industrial district (I-1).

Mayor Pro Tem Stinneford seconded the motion.

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

Deputy City Manager Bob Freeman provided a brief update on current weather conditions and advised that Oncor has reported 15,000 power outages throughout the city.

City Manager Getchell informed the City Council that the Library sustained damage to the front doors due to the storm as well.

City Attorney

No report given.

City Council

Mayor Martin announced that the next City Council meeting will be held Tuesday, May 24, 2016.

ITEM NO. 11. ADJOURN

Mayor Martin adjourned the meeting at 8:29 p.m.

APPROVED:

ATTEST:

Linda Martin, Mayor

Kim Sutter, TRMC, City Secretary