

LEWISVILLE CITY COUNCIL

REGULAR SESSION

MAY 18, 2015

Present:

Dean Ueckert, Mayor
Rudy Durham, Mayor

Council Members:

TJ Gilmore, Mayor Pro Tem
R Neil Ferguson, Deputy Mayor Pro Tem
Leroy Vaughn
Greg Tierney
Brent Daniels

City Staff:

Donna Barron, City Manager
Steve Bacchus, Assistant City Manager
Melinda Galler, Assistant City Manager
Eric Ferris, Assistant City Manager
Julie Heinze, City Secretary
Lizbeth Plaster, City Attorney

WORKSHOP SESSION – 6:00 P.M.

With a quorum of the Council Members present, the workshop session of the Lewisville City Council was called to order by Dean Ueckert at 6:00 p.m. on Monday, May 18, 2015, in the City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas. All City Department Heads were in attendance.

**Discussion of Regular Agenda Items and
Consent Agenda Items**

(Agenda Item A)

Mayor Ueckert reviewed Agenda Item A, Invocation. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item B, Pledge to the American and Texas Flags. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item C, Visitors/Citizens Forum. There was no discussion on this item.

WORKSHOP SESSION – 6:00 P.M.

**Discussion of Regular Agenda Items and
Consent Agenda Items (cont'd)**

(Agenda Item A)

Mayor Ueckert reviewed Agenda Item D, Consideration of Items Relating to the May 9, 2015, City Council Election: 1) Canvass of the Election Returns for the City Council General Election; 2) Consideration of a Resolution Declaring the Results of the City Council Election; and 3) Presentation of Certificates of Election by Mayor Ueckert and Oath-of-Office to Newly Elected Council Members – Mayor, Place No. 2 and Place No. 5 by Judge Brian Holman. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item E, Proclamation: Declaring the Week of May 3-9, 2015, as “National Drinking Water Week” and May 17-23, 2015, as “National Public Works Week”. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item F, Presentation: Recognition to Police Officer Jose Montoya for Filing the Most LEADRS Cases in the State in 2014, Presented by Kevin Ryan and John Wilderson with the TMPA LEADRS Program. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item G, Public Hearing: Consideration of an Ordinance Granting a Special Use Permit (SUP) for a Facility With Outdoor Mobile Home and Auto Display and Sales With Such Permit Limited to Recreational Vehicles/Travel Trailer Display and Sales Only on an Approximately 1.313 Acre Tract of Land; Located on Lots 2, 3R-1 and 4, Block A, of the Purnell Addition; With Two Associated Variances, as Requested by Campers 4 Rent With Permission From Kukla Enterprises, Inc. the Property Owner (Case No. SUP-2015-04-01). There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item H-1, Approval of City Council Minutes of the May 4, 2015, Workshop Session and Regular Session. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item H-2, Approval of Bid Awards for Annual Requirements Contracts for Water and Wastewater Treatment Chemicals for Public Services to Pennco, Inc., San Felipe, Texas for Liquid Ferric Sulfate, and Standard Purification, Dunnellon, Florida for Activated Carbon. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item H-3, Approval of a Bid Award for an Annual Requirements Contract for Street Sweeping to Mister Sweeper LP, Dallas, Texas, in the Estimated Amount of \$93,613. There was no discussion on this item.

WORKSHOP SESSION – 6:00 P.M.

**Discussion of Regular Agenda Items and
Consent Agenda Items (cont'd)**

(Agenda Item A)

Mayor Ueckert reviewed Agenda Item H-4, Approval of a Change Order No. 2 to the Traffic 2012 Signal and Paving Project in the Amount of \$212,094.11; and Authorization for the City Manager to Execute the Change Order. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item H-5, Approval of a Developer Participation Agreement With the WRN Creekside Development, LLC for Drainage Improvements at 597 Bennett Lane in the Amount of \$133,143; Which Includes \$6,340 (Approximately 5%) for Contingencies; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item H-6, Approval of Lease Agreements Between Trett Enterprises, Inc., JT Good, Inc., LMH-SP, Inc., DFW Ice Vending LLC, and Texoma Clean Marine, LLC. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item I-7, Consideration of a Variance to the 1996 Castle Hills Agreement to Allow a Single Family Residence Located at 5020 Joseph Street, in Castle Hills to Encroach One-Foot and Five Inches Into the Required Five-Foot Side Yard Setback, as Requested by Matt Taylor, Division Manager of American Legend Homes. Discussion was held that this was the same surveyor that created the last similar request for a variance. Councilman Vaughn questioned if the requestor had taken any steps to address this issue. City Manager Donna Barron advised that she did not know for sure any specific steps that they had taken. There was no further discussion on this item.

Mayor Ueckert reviewed Agenda Item I-8, Consideration of an Ordinance of the City Council of the City of Lewisville, Texas, Approving a Negotiated Settlement Between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division Regarding the Company’s 2014 and 2015 Rate Review Mechanism Filings; Approving a Settlement Agreement With Attached Rate Tariffs and Proof of Revenues; Declaring Existing Rates to be Unreasonable; Adopting Tariffs that Reflect Rate Adjustments Consistent With the Negotiated Settlement; Finding the Rates to be Set by the Settlement Tariffs to be Just and Reasonable and in the Public Interest; Requiring the Company to Reimburse ASCS’s Reasonable Ratemaking Expenses; Determining that this Ordinance was Passed in Accordance With the Requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; Requiring Delivery of this Ordinance to the Company and the ACSC’s Legal Counsel; and Declaring an Emergency. There was no discussion on this item.

WORKSHOP SESSION – 6:00 P.M.

**Discussion of Regular Agenda Items and
Consent Agenda Items (cont'd)**

(Agenda Item A)

Mayor Ueckert reviewed Agenda Item J, Reports: Quarterly Investment Report From January 1, 2015 – March 31, 2015. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item K-Closed Session. There was no discussion on this item.

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:04 p.m. on Monday, May 18, 2015.

REGULAR SESSION - 7:00 P.M.

With a quorum of the Council Members present, the regular session of the Lewisville City Council was called to order by Mayor Ueckert at 7:00 p.m. on Monday, May 18, 2015, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

Invocation

(Agenda Item A)

Mayor Ueckert gave the invocation.

Pledge to the American and Texas Flags

(Agenda Item B)

At the request of Mayor Ueckert, Councilman Durham gave the pledge to the American and Texas flags.

Visitors/Citizens Forum

(Agenda Item C)

Gene Carey, 1373 Evergreen, Lewisville, Texas, spoke before the City Council and thanked Mayor Ueckert for his service over the years.

Bobbie Mitchell, 1032 Springwood, Lewisville, Texas, spoke before the City Council and thanked Mayor Ueckert for his service over the years.

Charles Emery, 2200 North Garden Ridge, Lewisville, Texas spoke before the City Council in support of Police and Fire personnel, especially in light of recent events in the media. He also thanked Mayor Ueckert for his services over the years.

Visitors/Citizens Forum (cont'd)

(Agenda Item C)

Mayor Ueckert thanked all those that had spoken of his service. He especially thanked his wife, Cathy, for all her support along with his parents and their children. Mayor Ueckert thanked the citizens and the City staff, along with the City Council both present and past that have helped educate and support him over the years.

City Manager Donna Barron thanked Mayor Ueckert him for his leadership and his vision for the City. At the request of City Manager Donna Barron, a short video presentation was shown honoring Mayor Ueckert. City Attorney Lizbeth Plaster also thanked Mayor Ueckert for his support over the years.

No one else appeared to speak at this time.

**Consideration of Items Relating to the
May 9, 2015, City of Lewisville General
Election: Canvass of the Election Returns for
the City Council General Election**

(Agenda Item D-1)

The City Council canvassed the following results of the City of Lewisville General Election held on May 9, 2015:

City Secretary Julie Heinze read the following results:

Mayor

John Gorena	-	613 – 33.14%
Rudy Durham	-	929 - 50.22%
Winston Edmondson	-	308 – 16.65%

Place No. 2

Osman Paracha	-	204 – 12.26%
R Neil Ferguson	-	1,460 – 87.74%

Place No. 5 (Unexpired Term)

Brent Daniels	-	967 – 58.71%
MaryEllen Miksa	-	680 – 41.29%

Total Voters: 1,869

**Consideration of Items Relating to the
May 9, 2015, City of Lewisville General
Election: Approval of Resolution No. 4177-
05-2015 (R) Declaring the Results of the City
Council Election**

(Agenda Item D-2)

MOTION: Upon a motion made by Councilman Mayor Pro Tem Gilmore and seconded by Councilman Tierney , the Council voted four (5) “ayes” and no (0) “nays” to approve and adopt **Resolution No. 4177-05-2015(R)**: A Resolution of the City Council of the City of Lewisville, Texas, Canvassing the Election Returns and Declaring the Results of the General and Special Elections of the City of Lewisville Held on Saturday, May 9, 2015, for the City of Lewisville's Mayor, Councilman - Place No. 2 and Councilman – Place No. 5; and Declaring the Effective Date of this Resolution The motion carried.

**Consideration of Items Relating to the
May 9, 2015, City of Lewisville General
Election: Presentation of Certificates of
Election by Mayor Ueckert and Oath-of-
Office to Newly Elected Council Members –
Mayor, Place No. 2 and Place No. 5 by Judge
Brian Holman**

(Agenda Item D-3)

Mayor Ueckert presented the Certificates of Election to newly elected Mayor Rudy Durham, Council Member Place No. 2 - R Neil Ferguson and Council Member Place No. 5 (Unexpired Term) - Brent Daniels. Municipal Court Judge Brian Holman conducted the oaths of office for Mayor Durham, Councilman Ferguson and Councilman Daniels.

**Proclamation: Declaring the Week of May 3-
9, 2015, as “National Drinking Water Week”
and May 17-23, 2015, as “National Public
Works Week”**

(Agenda Item E)

Mayor Durham read and presented a proclamation declaring the week of May 3-9, 2015, as “National Drinking Water Week” and May 17-23, 2015, as “National Public Works Week” to Katelyn Hearon and James Tuttle with Public Services.

Presentation: Recognition to Police Officer Jose Montoya for Filing the Most LEADRS Cases in the State in 2014, Presented by Kevin Ryan and John Wilderson With the TMPA LEADRS Program

(Agenda Item F)

Kevin Ryan with the TMPA LEADRS Program presented recognition to Police Officer Jose Montoya for filing the most LEADRS cases in the State in 2014.

Public Hearing: Consideration of Ordinance No. 4178-05-2015 (Z) Consideration of an Ordinance Granting a Special Use Permit (SUP) for a Facility With Outdoor Mobile Home and Auto Display and Sales With Such Permit Limited to Recreational Vehicles/Travel Trailer Display and Sales Only on an Approximately 1.313 Acre Tract of Land; Located on Lots 2, 3R-1 and 4, Block A, of the Purnell Addition; With Two Associated Variances, as Requested by Campers 4 Rent With Permission From Kukla Enterprises, Inc. the Property Owner (Case No. SUP-2015-04-01)

(Agenda Item G-1)

The subject request is for a proposed RV/Travel Trailer rental and sales facility on a 1.313 acre property zoned Light Industrial (LI), which is currently vacant. The facility will accommodate approximately 6,400 square feet area for display of vehicles for rent and sale and will also provide a dump station. The Planning and Zoning Commission recommended approval of the SUP by a vote of 6-0 at their meeting on April 7, 2015 with a condition that sanitary sewer flows on the site be metered; recommended approval of the driveway stacking variance and recommended denial of the use of a temporary office to conduct business during construction.

The City staff's recommendation was that the City Council approve the requested Special Use Permit with the condition specified in the SUP ordinance regarding limiting display and sales to RV/Travel Trailers; requiring a sanitary sewer meter to measure waste water discharge at the RV dump station shown on the development plan; approve the driveway stacking variance and deny the request for a temporary office to conduct business.

Nika Reinecke, Director of Economic Development/Planning and Scott Huizenga, Campers 4 Rent were both present to respond to any questions posed by the City Council.

Public Hearing: Consideration of Ordinance No. 4178-05-2015 (Z) Consideration of an Ordinance Granting a Special Use Permit (SUP) for a Facility With Outdoor Mobile Home and Auto Display and Sales With Such Permit Limited to Recreational Vehicles/Travel Trailer Display and Sales Only on an Approximately 1.313 Acre Tract of Land; Located on Lots 2, 3R-1 and 4, Block A, of the Purnell Addition; With Two Associated Variances, as Requested by Campers 4 Rent With Permission From Kukla Enterprises, Inc. the Property Owner (Case No. SUP-2015-04-01) (cont'd)

(Agenda Item G-1)

Mayor Durham opened the public hearing.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Ferguson and seconded by Mayor Pro Tem Gilmore the Council voted five (5) “ayes” and no (0) “nays” to close the public hearing. The motion carried.

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

“An Ordinance of the City Council of the City of Lewisville, Texas Amending the Zoning Ordinance of the City of Lewisville, Texas by Granting a Special Use Permit for a Facility With Outdoor Mobile Home and Auto Display and Sales With Such Permit Limited to Recreational Vehicle/Travel Trailer Display and Sales Only on an Approximately 1.313 Acre Tract of Land Located on Lots 2, 3R-1, and 4 of Block A, of the Purnell Addition; Providing for Severability; Providing a Penalty; Providing a Repealer; Providing an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Vaughn and seconded by Deputy Mayor Pro Tem Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4178-05-2015 (Z)**, as previously captioned. The motion carried.

Public Hearing: Consideration of Ordinance No. 4178-05-2015 (Z) Consideration of an Ordinance Granting a Special Use Permit (SUP) for a Facility With Outdoor Mobile Home and Auto Display and Sales With Such Permit Limited to Recreational Vehicles/Travel Trailer Display and Sales Only on an Approximately 1.313 Acre Tract of Land; Located on Lots 2, 3R-1 and 4, Block A, of the Purnell Addition; With Two Associated Variances, as Requested by Campers 4 Rent With Permission From Kukla Enterprises, Inc. the Property Owner (Case No. SUP-2015-04-01) (cont'd)

(Agenda Item G-1)

MOTION: Upon a motion made by Councilman Vaughn and seconded by Mayor Pro Tem Gilmore, the Council voted five (5) “ayes” and no (0) “nays” to approve the requested Special Use Permit with the condition specified in the SUP ordinance regarding limiting display and sales to RV/Travel Trailers; requiring a sanitary sewer meter to measure waste water discharge at the RV dump station shown on the development plan; approve the driveway stacking variance and deny the request for a temporary office to conduct business

CONSENT AGENDA

(Agenda Item H)

MOTION: Upon a motion made by Deputy Mayor Pro Tem Ferguson and seconded by Councilman Vaughn, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt all items on the Consent Agenda, as recommended and as follows:

1. APPROVAL OF MINUTES: City Council Minutes of the May 4, 2015, Workshop Session and Regular Session.
1. Approval of Bid Awards for Annual Requirements Contracts for Water and Wastewater Treatment Chemicals for Public Services to Pennco, Inc., San Felipe, Texas for Liquid Ferric Sulfate, and Standard Purification, Dunnellon, Florida for Activated Carbon.
2. Approval of a Bid Award for an Annual Requirements Contract for Street Sweeping to Mister Sweeper LP, Dallas, Texas, in the Estimated Amount of \$93,613.

CONSENT AGENDA (cont'd)

(Agenda Item H)

3. Approval of a Change Order No. 2 to the Traffic 2012 Signal and Paving Project in the Amount of \$212,094.11; and Authorization for the City Manager to Execute the Change Order.
4. Approval of a Developer Participation Agreement With the WRN Creekside Development, LLC for Drainage Improvements at 597 Bennett Lane in the Amount of \$133,143; Which Includes \$6,340 (Approximately 5%) for Contingencies; and Authorization for the City Manager to Execute the Agreement.
5. Approval of Lease Agreements Between Trett Enterprises, Inc., JT Good, Inc., LMH-SP, Inc., DFW Ice Vending LLC, and Texoma Clean Marine, LLC.

The motion carried.

END OF CONSENT AGENDA

Consideration of a Variance to the 1996 Castle Hills Agreement to Allow a Single Family Residence Located at 5020 Joseph Street, in Castle Hills to Encroach One-Foot and Five Inches Into the Required Five-Foot Side Yard Setback, as Requested by Matt Taylor, Division Manager of American Legend Homes

(Agenda Item I-7)

On February 3, 2015, Barrow Land Surveying unknowingly staked the lot incorrectly at 5020 Joseph Street. As a result the house was built slightly askew on the lot and created an encroachment on the property. American Legend Homes, the home builder, is requesting a variance to allow the single family residence to encroach approximately one-foot and five inches into the required five foot setback. This lot is an interior lot, and the encroachment is located on the eastern side of the lot.

The City staff's recommendation was that the City Council approve the variance as set forth in the caption above.

Eric Ferris, Assistant City Manager, was present to respond to any questions posed by the City Council.

**Consideration of a Variance to the 1996
Castle Hills Agreement to Allow a Single
Family Residence Located at 5020 Joseph
Street, in Castle Hills to Encroach One-Foot
and Five Inches Into the Required Five-Foot
Side Yard Setback, as Requested by Matt
Taylor, Division Manager of American
Legend Homes (cont'd)**

(Agenda Item I-7)

Matt Taylor, Division Manager of American Legend Homes, 2724 Damsel Madisen Lane, Lewisville, Texas, spoke before the City Council in support of this item and apologized that they were having to come back before the City Council requesting a variance.

Terry Barrow, Barrow Land Surveying, 1979 Illinois Street, Rhome, Texas, spoke before the City Council and explained what had happened in this situation. He assured the City Council that corrective steps had been put in place to ensure this did not occur again.

Discussion was held regarding what would occur if the City Council decision was to deny this request. Council expressed their concern that this was the second time this had occurred and stressed that they did not want to see another similar item for consideration in the future.

MOTION: Upon a motion made by Mayor Pro Tem Gilmore and seconded by Councilman Vaughn, the Council voted five (5) “ayes” and no (0) “nays” to approve a variance to the 1996 Castle Hills Agreement to allow a single family residence located at 5020 Joseph Street, in Castle Hills to encroach one-foot and five inches into the required five-foot side yard setback, as requested by Matt Taylor, Division Manager of American Legend Homes, with the understanding that another request may not be approved. The motion carried.

Consideration of Ordinance No. 4179-05-2015 Approving a Negotiated Settlement Between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division Regarding the Company’s 2014 and 2015 Rate Review Mechanism Filings; Approving a Settlement Agreement With Attached Rate Tariffs and Proof of Revenues; Declaring Existing Rates to be Unreasonable; Adopting Tariffs that Reflect Rate Adjustments Consistent With the Negotiated Settlement; Finding the Rates to be Set by the Settlement Tariffs to be Just and Reasonable and in the Public Interest; Requiring the Company to Reimburse ACSC’s Reasonable Ratemaking Expenses; Determining that this Ordinance was Passed in Accordance With the Requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; Requiring Delivery of this Ordinance to the Company and the ACSC’s Legal Counsel; and Declaring an Emergency

(Agenda Item I-8)

In February 2014, Atmos Mid-Tex filed its second annual filing under the Rate Review Mechanism (“RRM”) Tariff, seeking an increase of \$45.7 million. Although ACSC attempted to reach a settlement with the Company as it had in past years, the wide differences between the Company and ACSC’s consultants’ recommendations made a compromise impossible. On the recommendation of the ACSC Executive Committee and ACSC’s legal counsel, the City in 2014 adopted a Resolution denying the requested rate increase. The Company appealed the City’s denial to the Railroad Commission of Texas (“Commission”), and revised its requested increase to \$43.8 million. A hearing was held on the Company’s appeal on September 3, 2014. On April 28, 2015, the Commission’s Hearings Examiner issued his Proposal for Decision (“PFD”) in the Company’s appeal of the City’s denial of the 2014 RRM rate increase. This PFD was not favorable to ACSC, but did recommend a reduction of approximately \$860,000 to the Company’s adjusted 2014 filing. While the parties were waiting for the PFD from the Hearings Examiner in the appeal of the 2014 RRM filing, on February 27, 2015, Atmos Mid-Tex filed with the City another rate increase request under the RRM Tariff, seeking additional revenues in the amount of \$28.762 million (total system) or \$24.0 million (affected cities). The City worked with ACSC to analyze the schedules and evidence offered by Atmos Mid-Tex to support its 2015 request to increase rates. The Ordinance and attached Settlement Agreement and tariffs are the

Consideration of Ordinance No. 4179-05-2015 Approving a Negotiated Settlement Between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division Regarding the Company’s 2014 and 2015 Rate Review Mechanism Filings..... (cont’d)

(Agenda Item I-8)

result of negotiation between the Mid-Tex Executive Committee and the Company to resolve issues raised by ACSC during the review and evaluation of Atmos Mid-Tex’s filing. The recommended Settlement Agreement also requires Atmos to abate its appeal of the City’s rejection of the 2014 RRM rate increase pending approval by all ACSC cities of the Settlement Agreement. The Agreement requires Atmos to give the City the benefit of the adjustments to the 2014 rate increase recommended by the PFD.

The City staff’s recommendation was that the City Council approve the ordinance as set forth in the caption above.

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

“An Ordinance of the City Council of The City of Lewisville, Texas, Approving a Negotiated Settlement Between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division Regarding the Company’s 2014 and 2015 Rate Review Mechanism Filings; Approving a Settlement Agreement With Attached Rate Tariffs and Proof of Revenues; Declaring Existing Rates to be Unreasonable; Adopting Tariffs That Reflect Rate Adjustments Consistent With the Negotiated Settlement; Finding the Rates to be Set by the Settlement Tariffs to be Just and Reasonable and in the Public Interest; Requiring the Company to Reimburse ACSC’s Reasonable Ratemaking Expenses; Determining That This Ordinance Was Passed in Accordance With The Requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; Requiring Delivery of This Ordinance to the Company and the ACSC’s Legal Counsel; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Tierney and seconded by Deputy Mayor Pro Tem Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4179-05-2015**, as captioned previously. The motion carried.

Reports

(Agenda Item J)

- Quarterly Investment Report From January 1, 2015 – March 31, 2015.
- Fire Chief Tim Tittle congratulated all the new elected official and advised that he looked forward to working with them.
- Assistant City Manager Melinda Galler advised that the employee picnic would be held on May 22nd at Railroad Park and encouraged the City Council to attend.
- Director of Public Services Carole Bassinger updated the City Council on the status of the lake and advised that we are at 529.67, about two feet above conservation level.
- Councilman Brent Daniels advised up an upcoming class being held at the Municipal Annex regarding a Do It Your Self Class on Drip Irrigation. He encouraged anyone interested to contact Keep Lewisville Beautiful for more information.
- Mayor Pro Tem Gilmore gave the status of the recently held Chunk Your Junk event held over the weekend.
- Deputy Mayor Pro Tem Ferguson gave an update on upcoming events at the MCL Grand Theatre.
- Councilman Durham thanked the Policer Officer present for his service and the service of his fellow officers.

There were no additional reports at this time.

Mayor Durham adjourned the regular session of the Lewisville City Council into Closed Session at 8:07 p.m. Monday, May 18, 2015, in accordance with the requirements of the Open Meetings Law.

Closed Session

(Agenda Item K)

In accordance with Texas Government Code, Subchapter D, Section 551.072 (Real Estate), the Lewisville City Council convened into Closed Session at 8:07 p.m. on Monday, May 18, 2015, City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas, in order to discuss matters pertaining to the following:

Section 551.071 (Consultation with Attorney):

1. Legal Issues Related to the Construction of the Old Town Park Plaza

Closed Session (cont'd)

(Agenda Item K)

Section 551.071 (Consultation with Attorney/Pending Litigation):

2. *City of Lewisville v. City of Farmers Branch and Camelot Landfill TX, LP*, Cause No.4:12-CV-00782, United States District Court for the Eastern District of Texas, Sherman Division; Texas Commission on Environmental Quality Modification to Municipal Solid Waste Permit No. 1312A; and Texas Commission on Environmental Quality Application to Obtain Municipal Solid Waste Permit Amendment - Permit No. 1312B

Section 551.072 (Real Estate):

3. Property Acquisition

Section 551.087 (Economic Development):

4. Deliberation Regarding Economic Development Negotiations

The Closed Session was adjourned at 9:36 p.m. on Monday, May 18, 2015.

**Reconvene into Regular Session and
Consider Action, if any, on Items Discussed
in Closed Session**

(Agenda Item L)

Mayor Durham reconvened the Regular Session of the Lewisville City Council at 9:36 p.m. on Monday, May 18, 2015, in the Council Chambers of the Lewisville City Hall.

Mayor Durham opened the floor for action to be taken on the items discussed in the Closed Session. There was no action taken on the items discussed during the Closed Session.

Adjournment

(Agenda Item M)

MOTION: Upon a motion made by Councilman Daniels and seconded by Councilman Tierney the Council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lewisville City Council at 9:36 p.m. on Monday, May 18, 2015. The motion carried.

**LEWISVILLE CITY COUNCIL
REGULAR SESSION
MAY 18, 2015**

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These minutes approved by the Lewisville City Council on the 1st day of June, 2015.

APPROVED

Rudy Durham
MAYOR

ATTEST:

Julie Heinze
CITY SECRETARY