

LEWISVILLE CITY COUNCIL

REGULAR SESSION

AUGUST 3, 2015

Present:

Rudy Durham, Mayor

Council Members:

R Neil Ferguson, Mayor Pro Tem
Greg Tierney, Deputy Mayor Pro Tem
Leroy Vaughn
TJ Gilmore
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 – 5:45 P.M.

With a quorum of the Council Members present, the workshop session of the Lewisville City Council was called to order by Mayor Durham at 5:45 p.m. on Monday, August 3, 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.

G.O. Bond Program

(Agenda Item A)

City Manager Donna Barron and Director of Parks and Recreation Services Robert Monahan conducted the attached PowerPoint Presentation for City Council consideration.

Based upon the presentation, the consensus of the City Council was to split the proposition for the recreation and the aquatic center into two separate propositions.

WORKSHOP SESSION – 6:30 P.M.

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

(Agenda Item B)

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

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

Mayor Durham reviewed Agenda Item C, Presentation: Life Saving Award to Detention Officers William O'Hare and Arnulfo Rios. There was no discussion on this item.

Mayor Durham reviewed Agenda Item D-1, Public Hearing: Consideration of an Ordinance Granting a Special Use Permit (SUP) for a Gasoline Service Station on a 1.019-Acre Tract of Land Legally Described as a Portion of Lot 3, Block B, Austin Ranch West; Located on the Southwest Corner of Plano Parkway and Tittle Drive and Zoned Light Industrial (LI) District, Requested by the Billingsley Company, the Property Owner (Case No. SUP-2015-07-07). There was no discussion on this item.

Mayor Durham reviewed Agenda Item D-2, Public Hearing: Consideration of a Resolution Authorizing the Adoption of the Community Development Block Grant (CDBG) 2015 Annual Action Plan; Authorization for the City Manager to Submit the Plan to the U.S. Department of Housing and Urban Development; and Acknowledge Receipt of the Recommended FY 2015-2016 City Social Service Agency Fund Budget of \$170,000 From the CDBG Advisory Committee. There was no discussion on this item.

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

Mayor Durham reviewed Agenda Item F-3, Approval of City Council Minutes of the July 20, 2015, Workshop Session and Regular Session. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-4, Approval of a Resolution Authorizing a City Social Service Agency Fund Agreement Between the City of Lewisville and Communities In Schools; and Authorization for City Officials to Execute the Agreements. City Manager Donna Barron advised that this item would need to be tabled and brought back due to several of the agencies not being included. There was no further discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

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

(Agenda Item B)

Mayor Durham reviewed Agenda Item F-5, Approval of a Professional Services Agreement With Halff Associates, Inc., for Professional Services in Connection With the Design of Garden Ridge Trail Construction Documentation in the Amount of \$278,350; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-6, Approval of a Contract Between the City of Lewisville and Sawko & Burroughs, P.C., Attorneys at Law for the Collection of Delinquent Taxes; and Authorization for the City Manager to Execute the Contract. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-7, Approval of a Professional Services Agreement With Parsons Brinckerhoff Americas, Inc., in the Amount of \$99,270 for Services Related to Developing the I-35 Corridor Overlay District, Phases 1 & 2; and Authorization for the City Manager to Execute the Contract. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-8, Consideration of an Ordinance Amending Chapter 11, Signs, of the Lewisville City Code, by Adding Regulations Related to Led or Other Continuous or Connected Series of Lights. Councilman Daniels questioned if consideration could be given to providing for a grandfathering period for existing businesses that have this type of lighting installed. He stated that he would not be in favor of these changes unless that was a provision. Mayor Pro Tem Ferguson advised that he would be comfortable with a three year grandfather clause. Councilman Gilmore advised that he was not in favor of this proposed ordinance and conducted the attached PowerPoint Presentation detailing the variety of lighting currently being used and how this ordinance could not address the amount of variety. He further advised that he felt this issue needed to be addressed by lumens. Councilman Vaughn advised that he had tried to make part of the discussion when this was previously reviewed. Discussion was held regarding this recommendation with Mayor Pro Tem Ferguson indicating that he felt the proposed changes should be made now and changes could also be made when the lumens issue was slated to be discussed in January 2016. Councilman Tierney questioned the possibility of putting a moratorium on this type of lighting until the lumens issue was discussed. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item G-9, Consideration of an Ordinance Amending the Lewisville Code of Ordinances, Chapter 2, Article VIII, Section 2-201 Fee Schedule by Adding Fees Related to the Lewisville Lake Environmental Learning Area. There was no discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

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

(Agenda Item B)

Mayor Durham reviewed Agenda Item G-10, Consideration of an Ordinance Establishing a Wastewater Main Extension Project; Establishing Extension Fees; Approval of an Agreement With Prestige Garage, LLC for Oversizing of Sanitary Sewer Improvements to 985 East SH 121 Business in the Amount of \$65,113.12; and Authorization for the City Manager, to Execute the Agreement. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-11, Consideration of an Amendment to the Interlocal Cooperation Agreement for the Operation and Maintenance of Traffic Signals Between the Texas Department of Transportation and the City of Lewisville to Add the Maintenance of the Signal at F.M. 423 and Lake Highlands Drive; and Authorize the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-12, Consideration of a Resolution Regarding the Delivery of Unsolicited or Unsubscribed Newspapers on Private Property, as Requested by Councilman Leroy Vaughn. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-13, Provide Direction to Staff Regarding G.O. Bond Program for Inclusion in the Required Election Ordinance. City Manager Barron confirmed the consensus of the City Council was to bring back two ordinance options. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item H, Reports. There was no discussion on this item.

Mayor Durham reviewed Agenda Item I-Closed Session. There was no discussion on this item.

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:53 p.m. on Monday, August 3, 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 Durham at 7:00 p.m. on Monday, August 3, 2015, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

Invocation

(Agenda Item A)

At the request of Mayor Durham, Councilman Vaughn gave the invocation.

Pledge to the American and Texas Flags

(Agenda Item B)

At the request of Mayor Durham, Mayor Pro Tem Ferguson gave the pledge to the American and Texas flags.

**Presentation: Life Saving Award to
Detention Officers William O'Hare and
Arnulfo Rios**

(Agenda Item C)

Chief Kerbow read and presented Life Saving Awards to Detention Officers William O'Hare and Arnulfo Rios.

**Public Hearing: Consideration of Ordinance
No. 4194-08-2015 (Z) Granting a Special Use
Permit (SUP) for a Gasoline Service Station
on a 1.019-Acre Tract of Land Legally
Described as a Portion of Lot 3, Block B,
Austin Ranch West; Located on the
Southwest Corner of Plano Parkway and
Tittle Drive and Zoned Light Industrial (LI)
District, Requested by the Billingsley
Company, the Property Owner (Case No.
SUP-2015-07-07)**

(Agenda Item D-1)

The proposed gas station and associated convenience store will consist of a 100% stone exterior with stone columns supporting the canopy covering the gas pump islands. Landscaping along Plano Parkway and Tittle Drive will be in the form of grass, trees and shrubs within a landscape strip ranging from 25 feet to 40 feet in width, which exceeds the minimum 10-foot requirement. Interior landscaping provided also exceeds minimum requirements. Signage will meet all sign requirements. Monument signs will be used in lieu of pole signs. The Planning and Zoning Commission recommended unanimous approval of the SUP by a vote of 6-0 at their meeting on July 7, 2015.

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

Nika Reinecke, Director of Economic Development and Planning along with Kofi Addo, CEI Engineering Associates, Inc., 3939 KBJ Freeway, Suite 100, Dallas, Texas, were both available to answer any questions posed by City Council.

Mayor Durham opened the public hearing.

MOTION: Upon a motion made by Councilman Daniels and seconded by Councilman Vaughn, 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 Gasoline Service Station on an Approximately 1.019-Acre Tract of Land Legally Described as a Portion of Lot 3, Block B, Austin Ranch West; Located on the Southwest Corner of Plano Parkway and Tittle Drive and Zoned Light Industrial District (LI); Providing for Severability; Providing a Penalty; Providing a Repealer; Providing an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Daniels and seconded by Mayor Pro Tem Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4194-08-2015 (Z)**, as previously captioned. The motion carried.

Public Hearing: Consideration of Resolution No. 4195-08-2015 (R) Authorizing the Adoption of the Community Development Block Grant (CDBG) 2015 Annual Action Plan; Authorization for the City Manager to Submit the Plan to the U.S. Department of Housing and Urban Development; and Acknowledge Receipt of the Recommended FY 2015-2016 City Social Service Agency Fund Budget of \$170,000 From the CDBG Advisory Committee

(Agenda Item D-2)

An Annual Action Plan must be submitted to the U.S. Dept. of Housing and Urban Development (HUD) by August 16 as a requirement to receive Community Development Block Grant (CDBG) funds of \$616,796 in FY 2015-2016. The plan has been developed following priorities set by the 2012 Consolidated Plan and findings from the 2012 Community Needs Assessment. It includes amendments using \$48,000 in prior year funds and establishing a new Target Reinvestment Neighborhood. The CDBG Advisory Committee reviewed applications submitted by non-profit agencies and City Departments for projects that address HUD national objectives as well as for the City Social Service Agency Fund. At their June 16, 2015 meeting, the Committee, by a vote of 5-0, recommended a draft budget which has been incorporated into the Action Plan. The Plan was made available for a 30 day Public Comment period from July 3, 2015 through August 3, 2015.

Public Hearing: Consideration of Resolution No. 4195-08-2015 (R) Authorizing the Adoption of the Community Development Block Grant (CDBG) 2015 Annual Action Plan; Authorization for the City Manager to Submit the Plan to the U.S. Department of Housing and Urban Development; and Acknowledge Receipt of the Recommended FY 2015-2016 City Social Service Agency Fund Budget of \$170,000 From the CDBG Advisory Committee (cont'd)

(Agenda Item D-2)

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

Mayor Durham opened the public hearing.

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

MOTION: Upon a motion made by Deputy Mayor Pro Tem Tierney and seconded by Councilman Gilmore, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt **Resolution No. 4195-08-2015 (R)**; A Resolution of the City Council of the City of Lewisville, Texas, Providing for the Adoption of the 2015 Annual Action Plan, as Required by the U.S. Department of Housing and Urban Development (HUD). The motion carried.

Visitors/Citizens Forum

(Agenda Item E)

Jonathan Hightower, 1485 Juniper Lane, Lewisville, Texas spoke before the City Council regarding his concerns how resources were being allocated for ordinance modification and development. He referenced the modification to the animal ordinance making it illegal for people to keep dogs locked up in their cars which took almost a year and then the changes to allow residents to have chickens also took over a year. He advised that almost since it was passed, residents have been making formal requests at City Council meetings to have the "chicken" ordinance modified to ease up on the restrictions to allow more residents to have chickens. He advised that the light illumination issue on this evening's agenda had been fast tracked when no formal request had been made by residents. Mr. Hightower expressed his frustration with the difference in the process for these topics and his contact with members of the City Council requesting changes to the "chicken" ordinance.

No one else appeared to speak at this time.

CONSENT AGENDA

(Agenda Item F)

Mayor Durham advised that the following items would be removed from the Consent Agenda for individual consideration and explanation:

1. Consent Agenda Item No. 4 – Approval of a Resolution Authorizing a City Social Service Agency Fund Agreement Between the City of Lewisville and Communities In Schools; and Authorization for City Officials to Execute the Agreements.

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

3. APPROVAL OF MINUTES: City Council Minutes of the July 20, 2015, Workshop Session and Regular Session.
4. Approval of Resolution No. 4196-08-2015 (R): A Resolution of the City Council of the City of Lewisville, Texas, Authorizing the City Manager to Contract with Budgeted City of Lewisville Social Service Fund Agencies.

No action taken on this item. Liz city staff like to pull so no action is necessary – and just move on to regular hearings.

5. Approval of a Professional Services Agreement With Halff Associates, Inc., for Professional Services in Connection With the Design of Garden Ridge Trail Construction Documentation in the Amount of \$278,350; and Authorization for the City Manager to Execute the Agreement.
6. Approval of a Contract Between the City of Lewisville and Sawko & Burroughs, P.C., Attorneys at Law for the Collection of Delinquent Taxes; and Authorization for the City Manager to Execute the Contract.
7. Approval of a Professional Services Agreement With Parsons Brinckerhoff Americas, Inc., in the Amount of \$99,270 for Services Related to Developing the I-35 Corridor Overlay District, Phases 1 & 2; and Authorization for the City Manager to Execute the Contract.

The motion carried.

END OF CONSENT AGENDA

Approval of a Resolution Authorizing a City Social Service Agency Fund Agreement Between the City of Lewisville and Communities In Schools; and Authorization for City Officials to Execute the Agreements

(Agenda Item F-4)

Mayor Durham advised that at the advice of the City Attorney, no action was being taken on this item. Mayor Durham moved on to the next item.

Consideration of an Ordinance Amending Chapter 11, Signs, of the Lewisville City Code, by Adding Regulations Related to Led or Other Continuous or Connected Series Of Lights

(Agenda Item G-8)

As requested by Councilman Neil Ferguson, on July 6, 2015 at the City Council workshop, staff gave a presentation in regards to our 'survey cities' regulations on LED and other continuous or connected series of lights. Council was given several options and gave direction to staff to model the ordinance changes to be similar to the City of Carrollton and to add language that would allow the use of these types of lighting for outside patios, trees, light poles and other similar appurtenances.

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

Cleve Joiner, Director of Neighborhood Services was present to respond to any questions posed by the City Council.

Mayor Pro Tem Ferguson made a motion to approve as presented with the modification of a grandfathering period for any installation in operation today for a period of three years, and that it is effective upon its passage. Councilman Daniels seconded the motion. Discussion was then held by the City Council regarding this motion.

Deputy Mayor Pro Tem Tierney questioned placing a moratorium on this topic. City Attorney Lizbeth Plaster requested if the City Council wanted to discuss this possibility further than they adjourn into Closed Session for Consultation with Attorney. Deputy Mayor Pro Tem Tierney stated that discussion had been held in workshop that at the first of the year discussion was scheduled to be held on lumens, which should control the light pollution issue that was currently being presented. He expressed concern with putting restrictions in place now for a problem that was scheduled to be handled in January and that in his opinion a moratorium being put in place limiting any additional installations was a better plan. City Manager Donna Barron advised there would be challenges with a moratorium on this topic.

**Consideration of an Ordinance Amending
Chapter 11, Signs, of the Lewisville City
Code, by Adding Regulations Related to Led
or Other Continuous or Connected Series Of
Lights (cont'd)**

(Agenda Item G-8)

Mayor Durham stated that there were speakers on this item and that needed to be allowed to address the City Council prior to any further discussion.

Bob Marion, 1316 Falcon Drive, Lewisville, Texas, spoke before the City Council in support of the proposed ordinance.

John Gorena, 417 Creekwood Lane, Lewisville, Texas, spoke before the City Council in opposition to the proposed ordinance.

Jack Ablon, 2197 South Uecker \$1624, Lewisville, Texas, spoke before the City Council in support of this item.

Winston Edmondson, 1292 Marchant Place, Lewisville, Texas, spoke before the City Council in opposition of this ordinance.

Mayor Durham adjourned the regular session of the Lewisville City Council into Closed Session at 7:35 p.m. Monday, August 3, 2015, in accordance with the requirements of the Open Meetings Law.

Closed Session

(Agenda Item I)

In accordance with Texas Government Code, Subchapter D, Section 551.071 (Consultation with Attorney), the Lewisville City Council convened into Closed Session at 7:35 p.m. on Monday, August 3, 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:

The Closed Session was adjourned at 7:46 p.m. on Monday, August 3, 2015.

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

(Agenda Item J)

Mayor Durham reconvened the Regular Session of the Lewisville City Council at 7:46 p.m. on Monday, August 3, 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. Mayor Durham returned to discussion on the following item.

**Consideration of an Ordinance Amending
Chapter 11, Signs, of the Lewisville City
Code, by Adding Regulations Related to Led
or Other Continuous or Connected Series Of
Lights**

(Agenda Item G-8)

Deputy Mayor Pro Tem Tierney advised that as presented this evening he was opposed to this ordinance. He indicated that he was in favor of business owner rights; however, there needed to be some restrictions on how a business does business to ensure how the city looks and that neighboring cities and business are not adversely affected. He stated he felt that what was planned to be reviewed in January would address the presented issue.

Councilman Daniels stated that when he builds a business he wants the comfort and security of knowing that the City is going to protect his business, he did not want to be the business next door to some of these lights. He pointed out to attract great businesses to Lewisville there has to be the security of certain ordinances. He used the example of in neighborhoods, residents could not have a car on blocks, the City protected the neighborhood from that type of visual. He stated that during the 2025 Vision Plan process that was one of the things stressed, the importance of improving the look of the city. He further stated that he was in favor of grandfathering this ordinance to allow businesses that currently have invested money to recoup their expenses.

Councilman Gilmore showed photos from the presentation he had made during workshop session (please see workshop attachment). He stated that he did agree that there needed to be some type of amortization given when this topic is addressed from a lumens standpoint. He further stated that he felt this needed to be dealt with using an objective standard of lighting in the City. Councilman Gilmore reviewed the various photos from his presentation and noted the variation of lighting uses and what the proposed ordinance would and would not be able to address. He stated that he would prefer an ordinance that dealt with objective standards that are lumens based. He stated that would be easier for code enforcement and businesses to handle.

Councilman Vaughn stated that he had made the point at a previous meeting that he felt the strength of the lighting should be considered along with this topic. He indicated that he was not in favor of this ordinance as presented and concurred with Councilman Gilmore's statements.

Mayor Pro Tem Ferguson advised that he was in favor of this proposed ordinance. He further stated that he felt it did have objective standards and he did not agree with the notion that the City Council should wait until they could wipe out everything at one time. He advised that citizens' have requested that the look and retail of the City be cleaned up.

Consideration of an Ordinance Amending Chapter 11, Signs, of the Lewisville City Code, by Adding Regulations Related to Led or Other Continuous or Connected Series Of Lights (cont'd)

(Agenda Item G-8)

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 Chapter 11, Signs, of the Lewisville City Code, by Adding Regulations Related to LED or Other Continuous or Connected Series of Lights; Providing for a Repealer; Providing for Severability; Providing a Penalty; Providing an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Mayor Pro Tem Ferguson and seconded by Councilman Daniels, the Council voted two (2) “ayes” and three (3) “nays,” with Deputy Mayor Pro Tem Tierney, Councilman Gilmore, and Councilman Vaughn casting the negative votes to approve as presented with the modification of a grandfathering period for any installation in operation today for a period of three years, and that it is effective upon its passage. The motion failed.

Councilman Gilmore stated that he wished citizens would get as fired up about other issues as much as they have this evening on lights. He pointed out that he had not received any contact from anyone via email or phone on this topic prior to the meeting.

Consideration of Ordinance No. 4196-08-2015 Amending the Lewisville Code of Ordinances, Chapter 2, Article VIII, Section 2-201 Fee Schedule by Adding Fees Related to the Lewisville Lake Environmental Learning Area

(Agenda Item G-9)

The Lewisville Parks & Leisure Services Department will assume operation of the LLELA entrance gate August 17, 2015 and the entrance fees need to be established in the fee ordinance. Staff has proposed entrance fees that are more affordable for families while still covering the cost to staff the gate. The fee format is similar to what has been used at Lewisville Lake Park for many years.

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

Consideration of Ordinance No. 4196-08-2015 Amending the Lewisville Code of Ordinances, Chapter 2, Article VIII, Section 2-201 Fee Schedule by Adding Fees Related to the Lewisville Lake Environmental Learning Area (cont'd)

(Agenda Item G-9)

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 Lewisville City Code, Chapter 2, Section 2-201, Fee Schedule, Amending the LLELA Fees; Providing a Repealer; Providing for Severability; Providing an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Vaughn and seconded by Mayor Pro Tem Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4196-08-2015**, as captioned previously. The motion carried.

Consideration of Ordinance No. 4197-08-2015 Establishing a Wastewater Main Extension Project; Establishing Extension Fees; Approval of an Agreement With Prestige Garage, LLC for Oversizing of Sanitary Sewer Improvements to 985 East SH 121 Business in the Amount of \$65,113.12; and Authorization for the City Manager, to Execute the Agreement

(Agenda Item G-10)

The proposed ordinance establishes a reimbursement to Prestige Garage, LLC (the “Developer”) for the costs associated with the installation of 1277 linear feet of 18-inch sanitary sewer from future users of the sanitary sewer desiring to tie onto the line within the sanitary sewer drainage basin on a prorated basis based on share of the sewer shed. The Agreement will reimburse the Developer for oversizing of sanitary sewer improvements per the Elm Fork Trunk Sanitary Sewer Study to be constructed with the proposed development. The amount of \$65,113.12 covers the difference in cost to be borne by the City between a 12-inch sanitary sewer required by the development and an 18-inch sanitary sewer as shown in the Eastside Sanitary Sewer Study which will benefit the entire sanitary sewer basin. Per the agreement, the City agrees to reimburse the Developer for the oversizing of the sanitary sewer after completion of the sewer construction.

The City staff’s recommendation was that the City Council approve the ordinance and agreement with Prestige Garage, LLC as set forth in the caption above.

Consideration of Ordinance No. 4197-08-2015 Establishing a Wastewater Main Extension Project; Establishing Extension Fees; Approval of an Agreement With Prestige Garage, LLC for Oversizing of Sanitary Sewer Improvements to 985 East SH 121 Business in the Amount of \$65,113.12; and Authorization for the City Manager, to Execute the Agreement (cont'd)

(Agenda Item G-10)

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, Establishing a Wastewater Main, Extension Project; Establishing Extension Fees; Providing for a Repealer; Providing a Severability Clause; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Daniels and seconded by Councilman Vaughn, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4197-08-2015**, as captioned previously. The motion carried.

Consideration of an Amendment to the Interlocal Cooperation Agreement for the Operation and Maintenance of Traffic Signals Between the Texas Department of Transportation and the City of Lewisville to Add the Maintenance of the Signal at F.M. 423 and Lake Highlands Drive; and Authorize the City Manager to Execute the Agreement

(Agenda Item G-11)

The City of Lewisville maintains several traffic signals along F.M. 423 within the City of The Colony, as part of an interlocal maintenance agreement with the Texas Department of Transportation. TxDOT is constructing a new signal at the intersection of Lake Highlands Drive as part of the F.M. 423 widening project. TxDOT has requested that the City of Lewisville include this signal with the other signals presently maintained along F.M. 423. The City will be reimbursed for the maintenance of this signal at the same labor and materials rates as set forth in the existing agreement. The City presently maintains the on-system signals at North Colony Boulevard, South Colony Boulevard, Quik Trip Driveway, Cougar Alley, Memorial Lane and the State Highway 121 Tollway. This item is considered an administrative action and was not submitted before the Transportation Board.

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

Consideration of an Amendment to the Interlocal Cooperation Agreement for the Operation and Maintenance of Traffic Signals Between the Texas Department of Transportation and the City of Lewisville to Add the Maintenance of the Signal at F.M. 423 and Lake Highlands Drive; and Authorize the City Manager to Execute the Agreement (cont'd)

(Agenda Item G-11)

MOTION: Upon a motion made by Deputy Mayor Pro Tem Tierney and seconded by Mayor Pro Tem Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve an Amendment to the Interlocal Cooperation Agreement for the Operation and Maintenance of Traffic Signals Between the Texas Department of Transportation and the City of Lewisville to add the maintenance of the signal at F.M. 423 and Lake Highlands Drive; and authorized the City Manager to execute the agreement. The motion carried.

Consideration of Resolution No. 4198-08-2015 (R) Regarding the Delivery of Unsolicited or Unsubscribed Newspapers on Private Property, as Requested by Councilman Leroy Vaughn

(Agenda Item G-12)

At the request of Councilman Leroy Vaughn, City staff met with concerned resident to discuss the delivery of unsolicited or unsubscribed newspapers on private property. Concerns include widespread litter, creating unsightly and unhealthy conditions, security issues for residents, accumulation in creeks and waterways damaging the appearance of these natural areas and expenditure of public funds for cleanup. As a result of this meeting, City staff has prepared a resolution for City Council consideration.

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

Colonel Mason, 1249 Bellaire, Lewisville, Texas, spoke before the City Council in support of this item.

Consideration of Resolution No. 4198-08-2015 (R) Regarding the Delivery of Unsolicited or Unsubscribed Newspapers on Private Property, as Requested by Councilman Leroy Vaughn (cont'd)

(Agenda Item G-12)

Councilman Vaughn advised that this had been brought to his attention due to some Lewisville citizens' objection to having newspapers thrown on their property when they did not want, nor request the paper. He advised that these citizens had been put in a Catch 22 situation in the sense that constitutionally they could not stop the newspaper from throwing the paper and the City requirement that they could be fined if they did not pick up the papers. He conceded that while the City has never fined a resident, they do write tickets for this offense. He concluded by stating that these affected members of the community feel that with the passing of this resolution they are going to have the footing they need to pursue this on the next level.

Mayor Pro Tem Ferguson questioned what the next level would be that this resolution would allow to be taken. At the request of Councilman Vaughn, Colonel Mason addressed the City Council and advised of his difficulty in picking the newspaper up and threats by the City if they are not picked up, which was in the City's right due to unsightly matter. Colonel Mason advised if the City did approve the resolution then the citizens committee would be able to speak with those throwing out newspaper requesting that they do not trash other's property. He explained that this was an official agreement by the City these papers that were tossed without request were a nuisance. Mayor Pro Tem Ferguson confirmed that Colonel Mason felt that this resolution would give the committee an additional sway to try and get this stopped even if it did not provide any legal standing.

MOTION: Upon a motion made by Councilman Vaughn and seconded by Councilman Gilmore, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt **Resolution No. 4198-08-2015 (R):** A Resolution Regarding the Delivery of Unsolicited or Unsubscribed Newspapers on Private Property. The motion carried.

Provide Direction to Staff Regarding G.O. Bond Program for Inclusion in the Required Election Ordinance

(Agenda Item G-13)

Staff is seeking direction regarding final G.O. Bond authorization for inclusion in the election ordinance. The election ordinance must be adopted at the August 17, 2015 City Council meeting in order to call a November election.

The City staff's recommendation was that the City Council provide direction to staff regarding G.O. Bond Program for inclusion in the required election ordinance.

**Provide Direction to Staff Regarding G.O.
Bond Program for Inclusion in the Required
Election Ordinance (cont'd)**

(Agenda Item G-13)

MOTION: Upon a motion made by Mayor Pro Tem Ferguson and seconded by Councilman Gilmore, the Council voted five (5) “ayes” and no (0) “nays” to approve the GO Bond Program as presented with added consideration that Bond Counsel submits options for including the aquatic portions of the Parks and Recreation part of the overall program as a separate item or a contingent item. The motion carried.

Reports

(Agenda Item H)

- Police Chief William Kerbow reminded everyone that next session of the Lewisville Citizen’s Police Academy would begin on August 27th. He encouraged anyone that may want to participate contact Officer Alvin Bilby at 972-219-3608.
- Director of Public Services Carole Bassinger advised that the lake was currently eight feet above conservation.
- Councilman Daniels stated that it was time to start fall garden and advised the Fall Vegetable Garden class presented by Keep Lewisville Beautiful was being held at the Municipal Annex on August 4, 2015. He advised that there were many Adopt-A-Spots available for families, businesses, and individuals.
- Councilman Gilmore advised of the Clear the Shelter event being held on August 15th.
- Mayor Pro Tem Ferguson gave an update on the upcoming events at the MCL Grand Theatre.
- Mayor Durham thanked the officer for his presence, and the service of all the officers.

There were no additional reports at this time.

Mayor Durham adjourned the regular session of the Lewisville City Council into Closed Session at 8:22 p.m. Monday, August 3, 2015, in accordance with the requirements of the Open Meetings Law.

Closed Session

(Agenda Item I)

In accordance with Texas Government Code, Subchapter D, Section 551.072 (Real Estate), the Lewisville City Council convened into Closed Session at 8:22 p.m. on Monday, August 3, 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

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 551.074 (Personnel):

4. Annual Staff Reviews:
 - (1) City Manager Donna Barron
 - (2) City Secretary Julie Heinze
 - (3) City Attorney Lizbeth Plaster
 - (4) Chief Municipal Court Judge Brian Holman
 - (5) Alternate Municipal Court Judges

Section 551.087 (Economic Development):

5. Deliberation Regarding Economic Development Negotiations

The Closed Session was adjourned at 9:11 p.m. on Monday, August 3, 2015.

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

(Agenda Item J)

Mayor Durham reconvened the Regular Session of the Lewisville City Council at 9:11 p.m. on Monday, August 3, 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 K)

MOTION: Upon a motion made by Mayor Pro Tem Ferguson and seconded by Deputy Mayor Pro Tem Tierney , the Council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lewisville City Council at 9:11 p.m. on Monday, August 3, 2015. The motion carried.

These minutes approved by the Lewisville City Council on the 14th day of September, 2015.

APPROVED

Rudy Durham
MAYOR

ATTEST:

Julie Heinze
CITY SECRETARY

Lewisville

Memorial Park Multigenerational Center



BARKER
RINKER
SEACAT

ARCHITECTURE

WE BELIEVE WE CAN
LIVE BETTER

WE USE A
**PEOPLE-INSPIRED
DESIGN PROCESS**
TO GET THE BEST RESULTS



WE DESIGN BUILDINGS AND PLACES THAT
**BRING PEOPLE
TOGETHER**

LEWISVILLE

MEMORIAL PARK

MULTIGENERATIONAL CENTER & VALLEY VISTA

NATURE PARK

July 2015 CONCEPT PLAN



Memorial Park Multigenerational Center

- Strong visual connection to **Valley Vista Nature Park**.
- Opportunity for strong nature theming & décor inside and outside of multigenerational center.
- Preserve native tree grove outside multigenerational center.

Valley Vista Nature Park

- “Nature Play” theme to the nature park.
- Elements of the park to contribute to the multigenerational center theme connecting the two properties physically and visually.
- Contributes to the “big moves” of the Lewisville 2025 Vision:
 - “Extending the green”!

MEMORIAL PARK MULTIGENERATIONAL CENTER - CONCEPT

LEWISVILLE, TEXAS



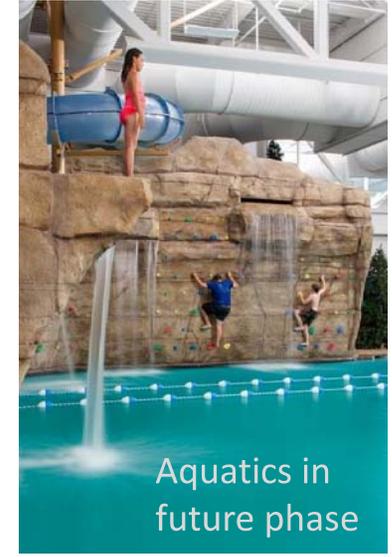
Multigenerational Center
Nature Inspired Theme



Building Exterior Nature
Inspired Theme



Multigenerational Center
Nature Inspired Theme



Aquatics in
future phase

KEY FEATURES

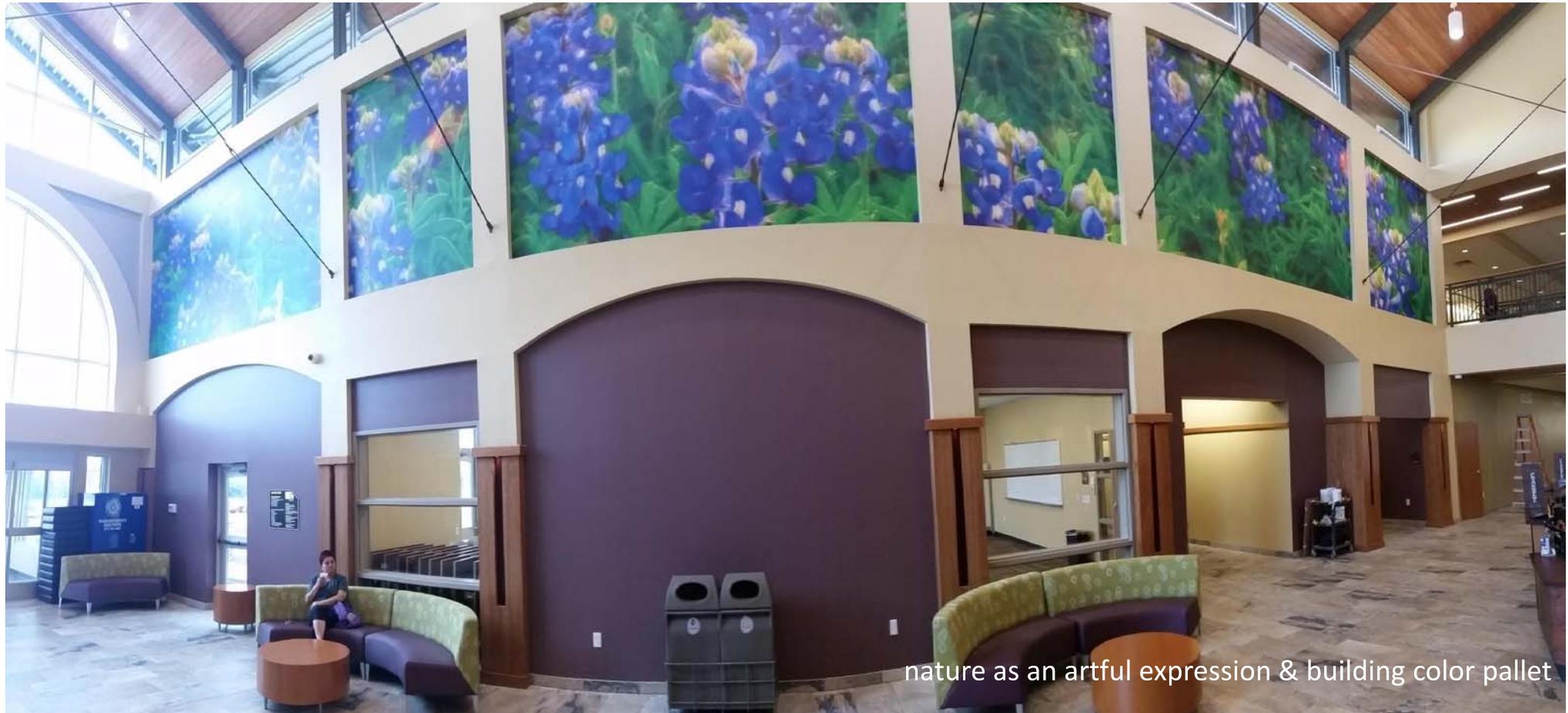
- 72,000 sq. ft.
- ACTIVE AGING CENTER + RECREATION CENTER
- COMMUNITY CENTER
- FAMILY LOUNGE, GYMNASIUMS + CHILD WATCH

BUDGET

\$24.5 MILLION

COMPLETION

2018



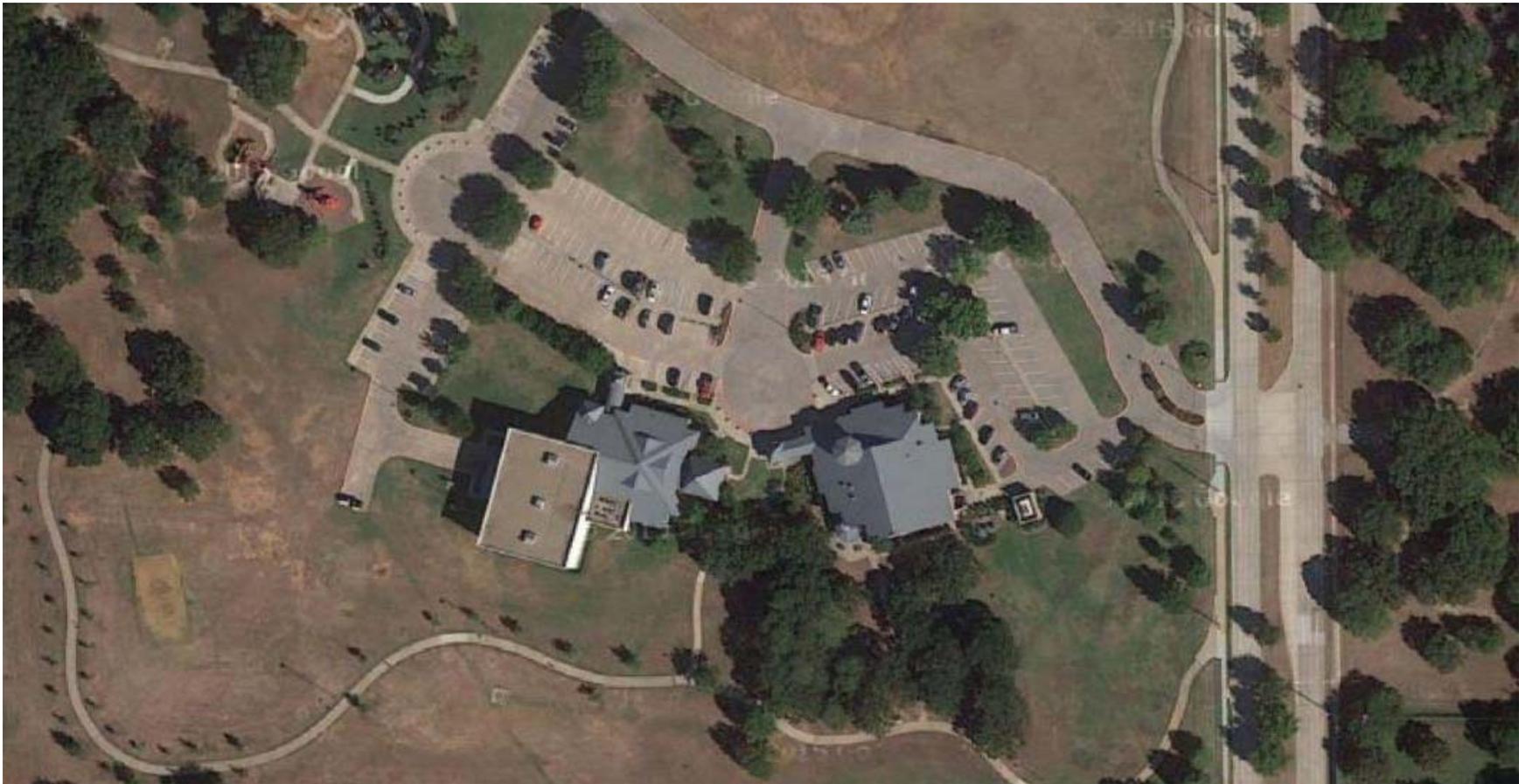
nature as an artful expression & building color pallet

Multigenerational Center Nature Inspired Theme



water saving native landscape

Multigenerational Center Nature Inspired Theme



Lewisville Memorial Park Multigenerational Center [Existing Site](#)



Lewisville Memorial Park Multigenerational Center **Overall Master Plan**



Lewisville Memorial Park Recreation Center and Senior Center [Overall Master Plan](#)

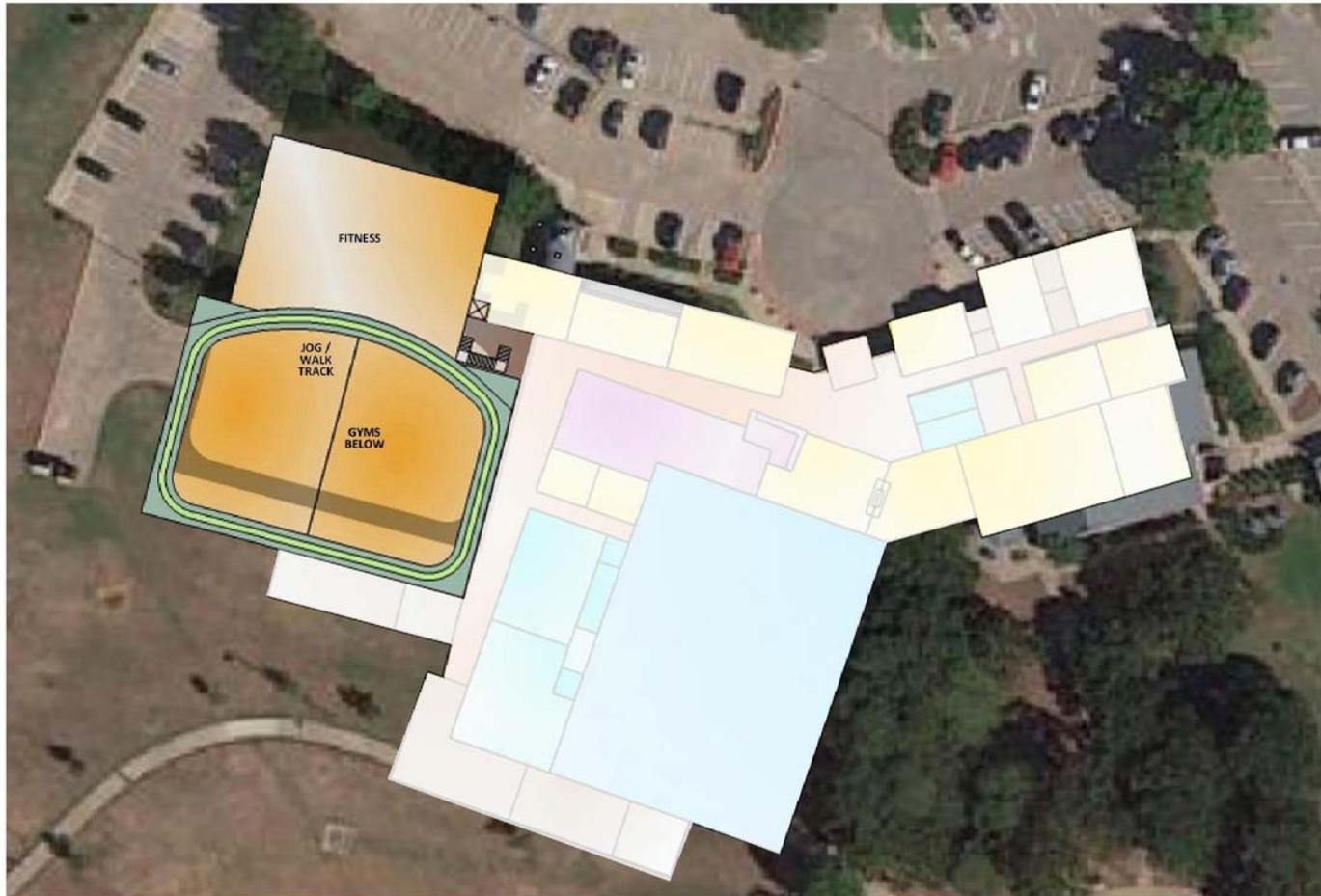


Lewisville Memorial Park Multigenerational Center Overall Building Master Plan



7.24.2015

Lewisville Multigenerational Recreation Center - Lower Level Plan



Lewisville Multigenerational Recreation Center - Upper Level Plan

7.24.2015





Lewisville Memorial Park Multigenerational Center **Overall Building Master Plan**

NATURE PLAY

CONCEPTS

VALLEY VISTA NATURE PARK

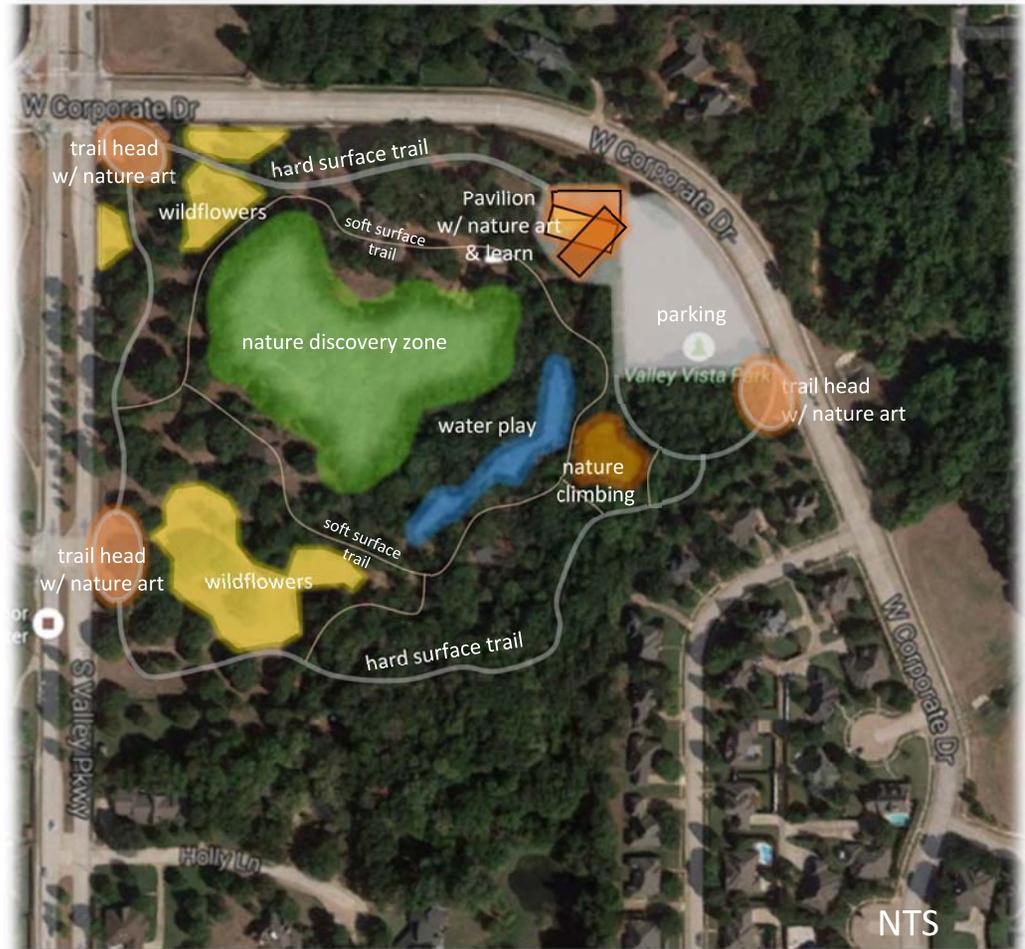
What is Nature Play?

Challenging and creative ways to connect kids with nature and the outdoors – *National Wildlife Federation*

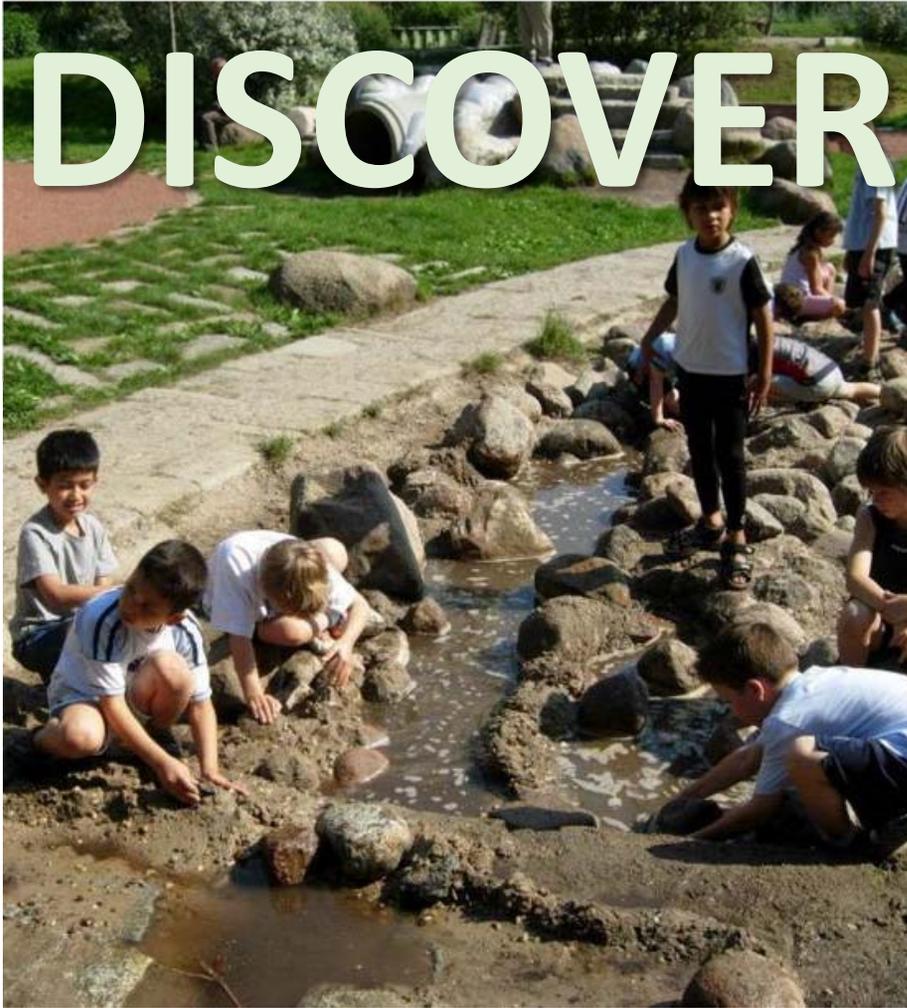
Nature play isn't scheduled, planned, or led by adults, nor is it confined by grown-ups' rules. Instead, it's open-ended, free-time exploration and recreation, without close adult supervision. - *Green Hearts Institute for Nature in Childhood*

Valley Vista Nature Park Concept

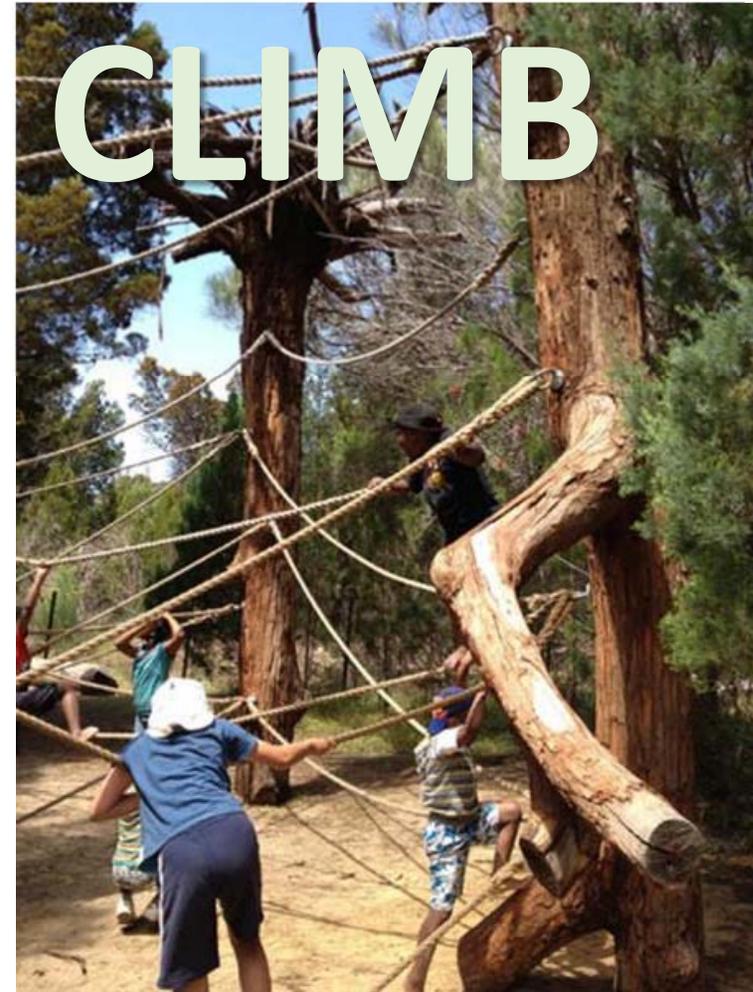
- discover
- smell
- climb
- watch
- feel
- learn
- jump
- play
- balance
- listen
- dream
- gather
- explore
- experience



DISCOVER



CLIMB





FEEL

JUMP

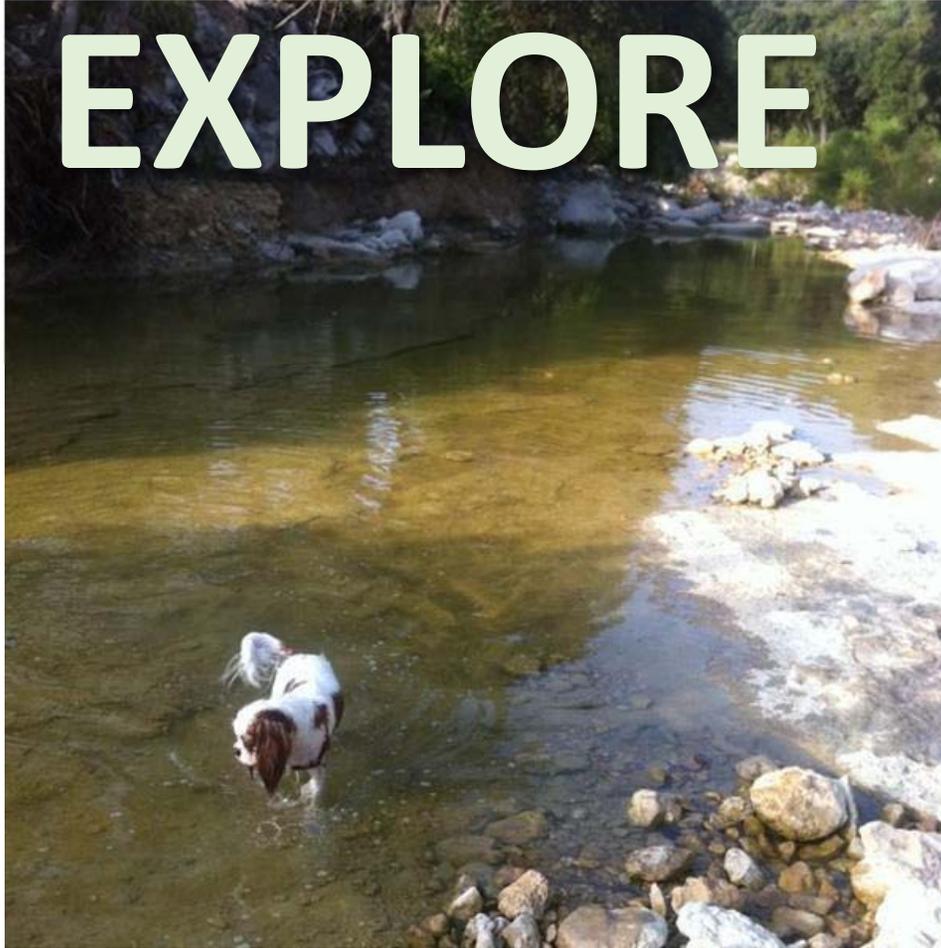




DREAM



EXPLORE





WATCH



LEARN

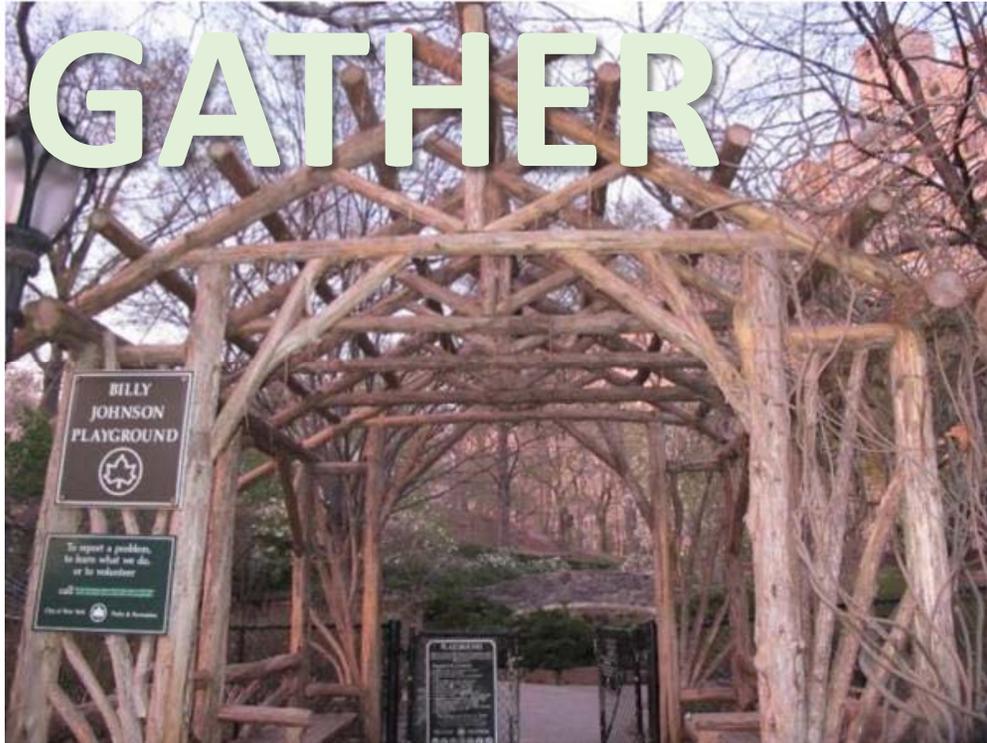


PLAY



LISTEN







nature art

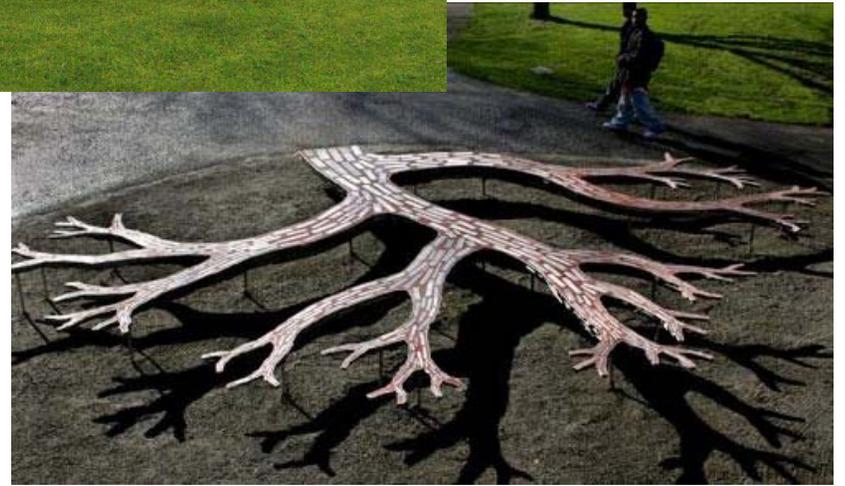
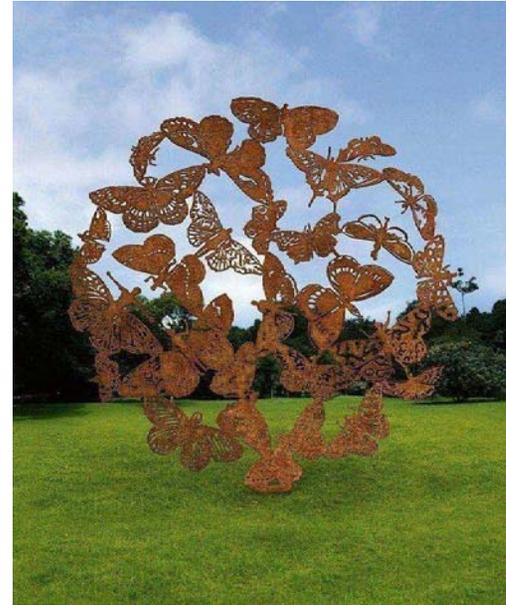


nature art

EXPERIENCE



nature art



EXPERIENCE

ADDITIONAL IDEAS





ADDITIONAL IDEAS

ADDITIONAL IDEAS

mystery tunnel



visual interest





intrigue

ADDITIONAL IDEAS



**BARKER
RINKER
SEACAT**

ARCHITECTURE

MY ENLIGHTENING DRIVE

Presented by Councilman Gilmore

































