

LEWISVILLE CITY COUNCIL

REGULAR SESSION

NOVEMBER 2, 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 – 6:30 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 6:30 p.m. on Monday, November 2, 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 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, Proclamation: Declaring the Month of November, 2015, as “American Diabetes Month”. 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 A)

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 0.6535-Acre Lot, Legally Described as Lot 1, Block A, Orchard Hill Addition, Phase II; Located on the Northwest Corner of South Old Orchard Lane and West Corporate Drive; at 1890 South Old Orchard Lane; and Zoned Local Commercial District (LC); With One Associated Variance for Driveway Radii, as Requested by Jewell Management, LLC on Behalf of B-2 Orchard LLC, the Property Owner (Case No. SUP-2015-10-10). There was no discussion on this item.

Mayor Durham reviewed Agenda Item D-2, Public Hearing: Consideration of an Ordinance Granting a Special Use Permit (SUP) for an Outdoor Commercial Amusement Facility for Beach Volleyball; on a 3.19-Acre Lot, Legally Described as Lot 2, Block A, The MAC Addition; Located on the South Side of Continental Drive Approximately 320 Feet West of South Business SH 121; and Zoned General Business District (GB), as Requested by Scott Stover, the Property Owner (Case No. SUP-2015-10-11). Discussion was held that the parking was adequate for this facility. Further discussion was held that should there be late tournaments and noise issues, the Police Department would handle those on a complaint basis. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item D-3, Public Hearing: Consideration of an Ordinance Granting an Amended Special Use Permit (SUP) Request for Auto, Boat, and Recreational Vehicle Sales and Repair on a 6.152-Acre Lot Legally Described as Buddy Gregg Motor Homes Addition, Lot 1, Block A; Located at 1206 North Stemmons Freeway; Zoned Light Industrial (LI) and General Business (GB), as Requested by 700 Days, LLC, the Property Owner (Case No. SUP-2015-10-12). 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-4, Approval of City Council Minutes of the October 19, 2015, Workshop Session and Regular Session. Councilman Vaughn advised he would be abstaining from this item as he was not present at the meeting. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item F-5, Approval of Contract for Recyclable Materials Processing Services to Pratt Recycling, Inc., Conyers, Georgia; and Authorization for the City Manager to Execute the Contract. At the request of Councilman Vaughn, City staff explained what the term “proposed approach” meant. 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 A)

Mayor Durham reviewed Agenda Item F-6, Approval of an Interlocal Cooperation Agreement for Library Services With Denton County; Designation of the Director of Library Services as the Official Liaison for the City of Lewisville; and Authorization for the City Manager to Execute the Agreement. City Manager Donna Barron explained that at the request of Councilman Vaughn, staff had done research as to why some of the cities had made the decision to no longer accept county funding. She advised that accepting the county funding meant that any county resident would be allowed to utilize that City's library at no cost to the user. Discussion was held that regarding if the number of county users (14,000) was being compensated by the \$75,800 the City would receive from Denton County or, would it be more cost effective to not accept the funding and charge a fee to county residents similar to the other cities that no longer participated. The consensus and indication of the City Council was to continue to receive the funding from Denton County and to have the new Library Director review the impact and financials to determine what was in the City of Lewisville best benefit prior to next year's agreement. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item G-7, Consideration of a Variance to the Lewisville City Code Section 6-103(c)(2)(a) (Access Spacing) Regarding Driveway Spacing Requirements, Related to the Off-Site Parking Lot for 1945 Lakepointe Drive, Located at the South Side of the Lakepointe Drive and Lakeway Drive intersection, as Requested by Dean Plunk, P.E. of Winkelmann & Associates, Inc., on Behalf of the Owner. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-8, Consideration of Two Variances to the Lewisville City Code, Section 6-145 – Screening Devices and; Section 6-162 Parking Requirements for The Children's Lighthouse, a New Daycare Facility Located on Lot 5, Block A of The Corners at Valley Parkway Addition, as Requested by Ridinger Associates, Inc. Councilman Daniels advised that he would be recusing himself from this item as the property is adjacent to his business. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item G-9, Consideration of an Ordinance Amending Chapter 4, Buildings and Building Regulations, Section 4-28 of the Lewisville City Code, by Deleting the Definitions of Dumpster and Clothing/Material Donation Container or Bin; Adding a Definition of Outdoor Receptacle; and Adding Regulations Regarding Outdoor Receptacles. City Attorney Lizbeth Plaster requested to go into Closed Session.

Mayor Durham adjourned the workshop session of the Lewisville City Council into Closed Session at 6:43 p.m. Monday, November 2, 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/Pending Litigation), the Lewisville City Council convened into Closed Session at 6:43 p.m. on Monday, November 2, 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 6:52 p.m. on Monday, November 2, 2015.

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

(Agenda Item K)

Mayor Durham reconvened the Workshop Session of the Lewisville City Council at 6:52 p.m. on Monday, November 2, 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 the workshop session.

WORKSHOP SESSION – 6:30 P.M.

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

(Agenda Item A)

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. No items – no closed session

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:53 p.m. on Monday, November 2, 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, November 2, 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 Daniels 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.

Proclamation: Declaring the Month of November, 2015, as “American Diabetes Month”

(Agenda Item C)

Mayor Durham read and presented a proclamation declaring the month of November, 2015 to Gloria and Vinod Mathur representing the American Diabetes Association.

Public Hearing: Consideration of Ordinance No. 4220-11-2015 (Z) Granting a Special Use Permit (SUP) for a Gasoline Service Station on a 0.6535-Acre Lot, Legally Described as Lot 1, Block A, Orchard Hill Addition, Phase II; Located on the Northwest Corner of South Old Orchard Lane and West Corporate Drive; at 1890 South Old Orchard Lane; and Zoned Local Commercial District (LC); With One Associated Variance for Driveway Radii, as Requested by Jewell Management, LLC on Behalf of B-2 Orchard LLC, the Property Owner (Case No. SUP-2015-10-10)

(Agenda Item D-1)

The proposed gas station and associated retail center will be updated by adding Austin stone to the front façade and gas canopy columns. Landscaping along Old Orchard Lane and Corporate Drive will be in the form of grass, trees and shrubs within the landscape strip. Interior landscaping provided also exceeds minimum requirements. The existing pole sign will be removed and replaced by a stone monument sign. One variance is requested to allow the radii of one of the existing driveways to remain in its current condition. The Planning and Zoning Commission recommended unanimous approval of the SUP by a vote of 5-0 at their meeting on October 6, 2015.

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

Nika Reinecke, Director of Economic Development and Planning along with Yvette Kent, Jewel Management LLC, 5725 East Lancaster Ave, Fort Worth, Texas, were both available for questions posed by the City Council.

Mayor Durham opened the public hearing.

Public Hearing: Consideration of Ordinance No. 4220-11-2015 (Z) Granting a Special Use Permit (SUP) for a Gasoline Service Station on a 0.6535-Acre Lot, Legally Described as Lot 1, Block A, Orchard Hill Addition, Phase II; Located on the Northwest Corner of South Old Orchard Lane and West Corporate Drive; at 1890 South Old Orchard Lane; and Zoned Local Commercial District (LC); With One Associated Variance for Driveway Radii, as Requested by Jewell Management, LLC on Behalf of B-2 Orchard LLC, the Property Owner (Case No. SUP-2015-10-10) (cont'd)

(Agenda Item D-1)

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 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 of the City of Lewisville, Texas by Granting a Special Use Permit for a Gasoline Service Station on an Approximately 0.6535-Acre Tract of Land Legally Described as Lot 1, Block A, Orchard Hill Addition Phase 2; Located on the Northwest Corner of Old Orchard Lane and Corporate Drive and Zoned Local Commercial District (LC); Providing for Severability; Providing a Penalty; Providing a Repealer; Providing an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Mayor Pro Tem Ferguson and seconded by Councilman Vaughn, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4220-11-2015 (Z)**, as previously captioned. The motion carried.

Public Hearing: Consideration of Ordinance No. 4221-11-2015 (Z) Granting a Special Use Permit (SUP) for an Outdoor Commercial Amusement Facility for Beach Volleyball; on a 3.19-Acre Lot, Legally Described as Lot 2, Block A, The MAC Addition; Located on the South Side of Continental Drive Approximately 320 Feet West of South Business SH 121; and Zoned General Business District (GB), as Requested by Scott Stover, the Property Owner (Case No. SUP-2015-10-11)

(Agenda Item D-2)

The subject request is to allow the construction of an outdoor beach volleyball facility on the south side of Continental Drive just west of Business SH 121, adjacent to The MAC gymnasium. The “Beach House” will be home to 692 Beach, which is a volleyball program that trains junior athletes in beach volleyball. 692 Beach is currently located in an industrial area in Coppell. The program will run year round, with practices in the afternoon and adult leagues in the evening. The facility will consist of eight outdoor sand volleyball courts and a 4,719 square-foot building. The site will be heavily landscaped along the Continental Drive frontage to provide screening for the residential areas to the north. The Planning and Zoning Commission recommended unanimous approval of the SUP by a vote of 5-0 at their meeting on October 6, 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 Scott Stover, property owner, were both available for questions posed by the City Council.

Mayor Durham opened the public hearing.

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 close the public hearing. The motion carried.

Public Hearing: Consideration of Ordinance No. 4221-11-2015 (Z) Granting a Special Use Permit (SUP) for an Outdoor Commercial Amusement Facility for Beach Volleyball; on a 3.19-Acre Lot, Legally Described as Lot 2, Block A, The MAC Addition; Located on the South Side of Continental Drive Approximately 320 Feet West of South Business SH 121; and Zoned General Business District (GB), as Requested by Scott Stover, the Property Owner (Case No. SUP-2015-10-11) (cont'd)

(Agenda Item D-2)

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 an Outdoor Commercial Amusement Facility for Beach Volleyball on an Approximately 3.19-Acre Tract of Land Legally Described as Lot 2, Block A, The Mac Addition; Located in the Southwest Quadrant of Continental Drive and Business State Highway 121 and Zoned General Business District (GB); 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 Tierney, the Council voted five (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4221-11-2015 (Z)**, as previously captioned. The motion carried.

**Public Hearing: Consideration of Ordinance
No. 4222-11-2015 (Z) Granting an Amended
Special Use Permit (SUP) Request for Auto,
Boat, and Recreational Vehicle Sales and
Repair on a 6.152-Acre Lot Legally
Described as Buddy Gregg Motor Homes
Addition, Lot 1, Block A; Located at 1206
North Stemmons Freeway; Zoned Light
Industrial (LI) and General Business (GB),
as Requested by 700 Days, LLC, the
Property Owner (Case No. SUP-2015-10-12)**

(Agenda Item D-3)

The subject request is to amend the SUP previously approved on August 4, 2014, for an auto, boat, and recreational vehicle sales and a repair facility located at 1206 N. Stemmons Freeway. The property was initially built as Buddy Gregg Motor Homes, which sold and maintained recreational vehicles. The applicant is in the process of repairing the building and making improvements to the overall site in accordance with the approved SUP. Modifications to the development plan and building elevations proposed by the applicant require an amendment to the SUP. The Planning and Zoning Commission recommended unanimous approval of the SUP by a vote of 5-0 at their meeting on October 6, 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 Greg Connell, 4920 Stony Ford Drive, Dallas, Texas (representing Buddy Gregg Motor Homes) were both available for questions posed by the City Council.

Mayor Durham opened the public hearing.

MOTION: Upon a motion made by Councilman Gilmore and seconded by Mayor Pro Tem Ferguson, 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 an Amended Special Use Permit for Auto, Boat and Recreational Vehicle, Display, Sales (Outdoor) and Repair Located on Lot 1, Block A, of the Buddy Gregg Motor Homes Addition, Containing Approximately 6.152 Acres; Providing for Severability; Providing a Penalty; Providing a Repealer; Providing an Effective Date; and Declaring an Emergency."

Public Hearing: Consideration of Ordinance No. 4222-11-2015 (Z) Granting an Amended Special Use Permit (SUP) Request for Auto, Boat, and Recreational Vehicle Sales and Repair on a 6.152-Acre Lot Legally Described as Buddy Gregg Motor Homes Addition, Lot 1, Block A; Located at 1206 North Stemmons Freeway; Zoned Light Industrial (LI) and General Business (GB), as Requested by 700 Days, LLC, the Property Owner (Case No. SUP-2015-10-12) (cont'd)

(Agenda Item D-3)

MOTION: Upon a motion made by Councilman Gilmore and seconded by Mayor Pro Tem Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4222-11-2015 (Z)**, as previously captioned. The motion carried.

Visitors/Citizens Forum

(Agenda Item E)

No one 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 MINUTES**: City Council Minutes of the October 19, 2015, Workshop Session and Regular Session

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 all remaining items on the Consent Agenda, as recommended and as follows:

5. Approval of Contract for Recyclable Materials Processing Services to Pratt Recycling, Inc., Conyers, Georgia; and Authorization for the City Manager to Execute the Contract.
6. Approval of an Interlocal Cooperation Agreement for Library Services With Denton County; Designation of the Director of Library Services as the Official Liaison for the City of Lewisville; and Authorization for the City Manager to Execute the Agreement.

The motion carried.

END OF CONSENT AGENDA

Councilman Vaughn advised that he would be abstaining from this item as he was not present at the October 19, 2015 City Council meeting. Councilman Vaughn stepped away from the dais.

**APPROVAL OF MINUTES: City Council
Minutes of the October 19, 2015, Workshop
Session and Regular Session**

(Consent Agenda Item F-4)

MOTION: Upon a motion made by Councilman Daniels and seconded by Deputy Mayor Pro Tem Tierney, the Council voted four (4) “ayes” and no (0) “nays” to approve the City Council Minutes of the October 19, 2015, Workshop Session and Regular Session as presented. The motion carried.

Councilman Vaughn returned to the dais.

**Consideration of a Variance to the Lewisville
City Code Section 6-103(c)(2)(a) (Access
Spacing) Regarding Driveway Spacing
Requirements, Related to the Off-Site
Parking Lot for 1945 Lakepointe Drive,
Located at the South Side of the Lakepointe
Drive and Lakeway Drive intersection, as
Requested by Dean Plunk, P.E. of
Winkelmann & Associates, Inc., on Behalf of
the Owner**

(Agenda Item G-7)

The subject site is a 3.052-acre lot zoned Light Industrial (LI) within the Waters Ridge Phase 2 Addition located at 1960 Lakepointe Drive at the south side of the Lakepointe Drive and Lakeway Drive intersection. The property owner is proposing to construct 270 parking spaces to provide additional parking for an existing multi-tenant building at 1945 Lakepointe Drive which is at the north east corner of Lakepointe Drive and Lakeway Drive. Staff has reviewed and approved the Engineering Site Plan subject to the City Council approval of a variance to reduce the required separation between driveways to less than 50 feet.

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

Consideration of a Variance to the Lewisville City Code Section 6-103(c)(2)(a) (Access Spacing) Regarding Driveway Spacing Requirements, Related to the Off-Site Parking Lot for 1945 Lakepointe Drive, Located at the South Side of the Lakepointe Drive and Lakeway Drive intersection, as Requested by Dean Plunk, P.E. of Winkelmann & Associates, Inc., on Behalf of the Owner (cont'd)

(Agenda Item G-7)

MOTION: Upon a motion made by Mayor Pro Tem Ferguson and seconded by Councilman Vaughn, the Council voted five (5) “ayes” and no (0) “nays” to approve a variance to the Lewisville City Code Section 6-103(c)(2)(a) (Access Spacing) Regarding Driveway Spacing Requirements, Related to the Off-Site Parking Lot for 1945 Lakepointe Drive, located at the south side of the Lakepointe Drive and Lakeway Drive intersection to reduce the required separation between driveways to less than 50 feet, as requested by Dean Plunk, P.E. of Winkelmann & Associates, Inc., on behalf of the owner. The motion carried.

Councilman Daniels advised that he would be abstaining from discussion and consideration of the following item as this property is adjacent to his business location. The appropriate Conflict of Interest Affidavit had been filled out and filed with the City Secretary. Councilman Daniels stepped away from the dais.

Consideration of Two Variances to the Lewisville City Code, Section 6-145 – Screening Devices and; Section 6-162 Parking Requirements for The Children’s Lighthouse, a New Daycare Facility Located on Lot 5, Block A of The Corners at Valley Parkway Addition, as Requested by Ridinger Associates, Inc.

(Agenda Item G-8)

The 2.499-acre property located on the west side of Valley Parkway, approximately 600-ft north of FM 3040 and is zoned Local Commercial (LC). The developer has submitted an Engineering Site Plan and intends to construct a new 10,574 sq. ft. daycare center meeting the City’s Land Development Regulations with the exception of two variances; a) to allow an alternative screening wall in lieu of a masonry screening wall adjacent to Parkway Elementary School; and b) to allow standard parking spaces in lieu of the required three car drive through area for pickup and delivery of children. Staff has reviewed and approved the Engineering Site Plan subject to City Council approval of this variance.

Consideration of Two Variances to the Lewisville City Code, Section 6-145 – Screening Devices and; Section 6-162 Parking Requirements for The Children’s Lighthouse, a New Daycare Facility Located on Lot 5, Block A of The Corners at Valley Parkway Addition, as Requested by Ridinger Associates, Inc. (cont’d)

(Agenda Item G-8)

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

Nika Reinecke, Director of Economic Development and Planning along with Tracy LaPiene, P.E., Vice President of Ridinger Associates, Inc. were both available for questions posed by the City Council.

MOTION: Upon a motion made by Councilman Vaughn and seconded by Mayor Pro Tem Ferguson, the Council voted four (4) “ayes” and no (0) “nays” to approve the following two variances to the Lewisville City Code, Section 6-145 – Screening Devices and; Section 6-162 Parking Requirements for The Children’s Lighthouse, a new daycare facility located on Lot 5, Block A of The Corners at Valley Parkway Addition: a) to allow an alternative screening wall in lieu of a masonry screening wall adjacent to Parkway Elementary School; and b) to allow standard parking spaces in lieu of the required three car drive through area for pickup and delivery of children, as requested by Ridinger Associates, Inc. The motion carried.

Councilman Daniels returned to the dais.

Consideration of Ordinance No. 4223-11-2015 Amending Chapter 4, Buildings and Building Regulations, Section 4-28 of the Lewisville City Code, by Deleting the Definitions of Dumpster and Clothing/Material Donation Container or Bin; Adding a Definition of Outdoor Receptacle; and Adding Regulations Regarding Outdoor Receptacles

(Agenda Item G-9)

The proposed ordinance sets forth regulations that provides for screening, placement, and maintenance related to outdoor receptacles. The City has a substantial and legitimate interest in ensuring that its community is kept in a safe and aesthetically pleasing condition, therefore necessitating the need for regulation of outdoor receptacles.

Consideration of Ordinance No. 4223-11-2015 Amending Chapter 4, Buildings and Building Regulations, Section 4-28 of the Lewisville City Code, by Deleting the Definitions of Dumpster and Clothing/Material Donation Container or Bin; Adding a Definition of Outdoor Receptacle; and Adding Regulations Regarding Outdoor Receptacles (cont'd)

(Agenda Item G-9)

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

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

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 4, Buildings and Building Regulations, Section 4-28 of the Lewisville City Code, By Deleting the Definitions of Dumpster and Clothing/Material Donation Container or Bin; Adding a Definition of Outdoor Receptacle; and Adding Regulations Regarding Outdoor Receptacles; Providing for a Repealer; Providing for Severability; Providing a Penalty; Providing an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Gilmore and seconded by Councilman Vaughn, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4223-11-2015 (Z)**, as previously captioned. The motion carried.

Reports

(Agenda Item H)

- Councilman Daniels advised of the upcoming Keep Lewisville Beautiful Trinity Trash Bash Waterway Cleanup scheduled for Saturday, November 14th from 8 a.m. – 11:30 a.m. being held at Lake Park. He stated that this was the second largest cleanup with Keep Lewisville Beautiful next to the spring cleanup and was a great way to help in getting the waterways cleaned up while picking up several tons of trash. He advised that there would be prizes and t-shirts for anyone who volunteered.
- Councilman Gilmore advised of a preschool adventure event for children being held at LLELA on Saturday, November 7th from 9:30 a.m. – 11 a.m. He stated that the kids would be able to search out animal homes, participate in nature games, and was a great day to get out before it gets too cold. He encouraged anyone interested to check out additional information on the City's website.

Reports (cont'd)

(Agenda Item H)

- Mayor Pro Tem Ferguson advised that tomorrow was the last day to vote on the Constitutional Amendment and the City's Bond Propositions. He encouraged anyone who had not had an opportunity to vote to get out and do so. Mayor Pro Tem Ferguson advised of the upcoming events at the MCL Grand Theatre.
- Mayor Durham thanked the Police Officer for his attendance.

There were no additional reports at this time.

Adjournment

(Agenda Item L)

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 adjourn the Regular Session of the Lewisville City Council at 7:27 p.m. on Monday, November 2, 2015. The motion carried.

These minutes approved by the Lewisville City Council on the 16th day of November, 2015.

APPROVED

Rudy Durham
MAYOR

ATTEST:

Julie Heinze
CITY SECRETARY