

**LEWISVILLE CITY COUNCIL**

**REGULAR SESSION**

**FEBRUARY 5, 2007**

**Present:**

Gene Carey, Mayor

**Council Members:**

Greg Tierney

David Thornhill

Mike Nowels

Dean Ueckert, Deputy Mayor Pro Tem

Rudy Durham, Mayor Pro Tem

**City Staff:**

Claude King, City Manager

Donna Barron, Assistant City Manager

Steve Bacchus, Assistant City Manager

Julie Heinze, City Secretary

Ronald J. Neiman, 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 Carey at 6:32 p.m. on Monday, February 5, 2007, 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 Carey reviewed Agenda Item A, Invocation. There was no discussion on this item.

Mayor Carey reviewed Agenda Item B, Pledge to the Flag. There was no discussion on this item.

Mayor Carey reviewed Agenda Item C, Proclamation: Declaring February 10, 2007, as “Scouting for Food Day”. 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 Carey reviewed Agenda Item D, Presentation: Keep Lewisville Beautiful 2006 Recap. There was no discussion on this item.

Mayor Carey reviewed Agenda Item E-1, Public Hearing: Consideration of an Ordinance for a Zone Change Request From Light Industrial (LI) to Old Town Mixed Use Two (OTMU2) on a 0.13 Acre Tract of Land Located on the North East Corner of the Intersection of Henrietta and Main Street; and Identified as Tract 1 of Lots 11 and 12, Block 14 of the Kealy Addition, as Requested by Victor Myers With the Authorization of the Property Owner (Case No. 20070102). There was no discussion on this item.

Mayor Carey reviewed Agenda Item E-2, Public Hearing: Consideration of an Ordinance for a Zone Change Request From Agriculture Open Space (AO) to Light Industrial (LI) on a 2.5 Acre Tract Located Directly Northwest of the Intersection of Jones Street and Cowan Avenue at 417 East Jones Street; Further Identified as Tract 2 in the J. Wagner Survey, Abstract 1399; as Requested by Eliu Platas the Property Owner (Case No. PZ20070101). There was no discussion on this item.

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

Mayor Carey reviewed Agenda Item G-3, Approval of Minutes: City Council Minutes of the January 22, 2007, Workshop Session and Regular Session. There was no discussion on this item.

Mayor Carey reviewed Agenda Item G-4, Approval of a Bid Award for the Valley Ridge Northeast 30-Inch Waterline Project to Wilson Contractor Service, LLC, Denton, Texas, in the Amount of \$1,383,226.10; and Authorization for the City Manager to Execute the Contract. There was no discussion on this item.

Mayor Carey reviewed Agenda Item G-5, Approval of a Bid Award for an Annual Requirements Contract for Ready Mix Concrete to Lattimore Materials, McKinney, Texas, for an Estimated Amount of \$130,065. There was no discussion on this item.

Mayor Carey reviewed Agenda Item G-6, Approval of a Supplemental Budget Appropriation in the Amount of \$3,620 to the Grant Fund to Complete the Project Authorized Under the Buffer Zone Protection Grant. 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 Carey reviewed Agenda Item G-7, Ratification of Emergency Expenditures in the Amount of \$648,119 for the Maintenance, Repair, and Replacement of a 42-Inch Sanitary Sewer Located on Lot 1A and 1B Block F of the Lakepointe, Phase III Subdivision; and Approval of a Supplemental Appropriation in the Amount of \$648,119 From Utility Capital Project Available Cash to Various Utility Capital Projects. There was no discussion on this item.

Mayor Carey reviewed Agenda Item G-8, Approval of an Election Calendar and a Resolution Calling the May 12, 2007, Lewisville City Council Election and Designating the City's Polling Places, the Early Voting Place, and Clerk; and Authorization for the Mayor to Sign the Election Order. There was no discussion on this item.

Mayor Carey reviewed Agenda Item G-9, Approval of a Resolution Authorizing a Joint Agreement Between the City of Lewisville and the Lewisville Independent School District for a Joint Election Process for the May 12, 2007, General Election; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Carey reviewed Agenda Item G-10, Approval of a Resolution Authorizing an Agreement Between the City of Lewisville and Denton County for Rental of Voting Machines and Equipment for the May 12, 2007, General Election. There was no discussion on this item.

Mayor Carey reviewed Agenda Item G-11, Approval of a Resolution Appointing the Election Officials for the May 12, 2007, City of Lewisville City Council Election, Setting Rate of Pay, and Establishing Maximum Number of Clerks for Polling Places. There was no discussion on this item.

Mayor Carey reviewed Agenda Item G-12, Approval of a Supplemental Appropriation to the General Fund From General Fund Balance to the Fire Station No. 7 Capital Project in the Amount of \$2,750,000. There was no discussion on this item.

Mayor Carey reviewed Agenda Item H-13, Consideration of a Variance to the Lewisville Code of Ordinances, Chapter 6, Article V, Sections 6-58(e) Grading to Include Tree Removal Prior to Engineering Site Plan Approval as Requested by Pacheco Koch Consulting Engineers, on Behalf of Majestic Realty Group, the Property Owners. 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 Carey reviewed Agenda Item H-14, Consideration of a Variance to the Lewisville Code of Ordinances, Off Street Parking Requirements, Chapter 6, Article VIII, Section 6-162(21) and Section 6-164, For a Proposed Amusement/Restaurant Project Located at 2565 MacArthur Blvd. in Lewisville, Texas as Requested by G&A Consultants, Inc., on Behalf of Going Bonkers, Owner. Discussion held regarding the parking and that the Vista Ridge Mall had not agreed to allow parking in their parking lot for this facility. There was no further discussion..

Mayor Carey reviewed Agenda Item H-15, Third and Final Reading: Ordinance Adopting Provisions for Pre-Payment for Gasoline and Diesel Fuel at Retail Fuel Businesses. There was no discussion on this item.

Mayor Carey reviewed Agenda Item H-16, Consideration of Naming Jail Facility. There was no discussion on this item.

Mayor Carey reviewed Agenda Item I, Reports. There was no discussion on this item.

Mayor Carey reviewed Agenda Item J, Executive Session. There was no discussion on this item.

**Items of Interest to the Council**

**(Agenda Item B)**

There were no items of interest discussed by the City Council at this time.

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:45 p.m. on Monday, February 5, 2007.

**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 Carey at 7:00 p.m. on Monday, February 5, 2007, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

**Invocation**

**(Agenda Item A)**

Mayor Carey gave the invocation.

**Pledge to the Flag**

**(Agenda Item B)**

At the request of Mayor Carey, Troop 822 and Pack 822 from Westside Baptist Church of Lewisville gave the pledge to the flag.

**Proclamation: Declaring February 10, 2007,  
as "Scouting for Food Day".**

**(Agenda Item C)**

Mayor Carey read and presented a proclamation declaring February 10, 2007, as Scouting for Food Day" to Jeremy Stephens and Ernest Lerret.

**PRESENTATION: Keep            Lewisville  
Beautiful 2006 Recap**

**(Agenda Item D )**

Kelsey Brown, KLB, presented her recap of the 2006 Keep Lewisville Beautiful events.

**Public Hearing: Consideration of Ordinance  
No. 3406-02-2007(Z) for a Zone Change  
Request From Light Industrial (LI) to Old  
Town Mixed Use Two (OTMU2) on a 0.13  
Acre Tract of Land Located on the North  
East Corner of the Intersection of Henrietta  
and Main Street; and Identified as Tract 1 of  
Lots 11 and 12, Block 14 of the Kealy  
Addition, as Requested by Victor Myers  
With the Authorization of the Property  
Owner (Case No. 20070102)**

**(Agenda Item E-1)**

The proposed zoning classification is in keeping with the recommendations of the Old Town Master Plan. The owner plans to develop a professional office building which would extend the presence of professional office development from the Old Town Center Core to the easterly Main Street corridor of Old Town. Additionally, the lot in question is underutilized with no development currently housed on the .13 Acre lot. Rezoning the property OTMU2 would allow the applicant more flexibility regarding placement of structures. Given the size of the lot, the flexibility of the OTMU2 Zoning classification is needed to make the site developable. The lot currently has front setbacks-25 feet, sides-15 feet, rear-0 feet. The new zoning will allow for front setbacks-0, sides-0, rear-10 and a 10 foot landscape strip along Main and Henrietta Streets should the building be set back further than that amount of square footage on either street. The Planning and Zoning Commission voted 5-0 in favor of the zone change request at their January 9, 2007, meeting.

**Public Hearing: Consideration of Ordinance No. 3406-02-2007(Z) for a Zone Change Request From Light Industrial (LI) to Old Town Mixed Use Two (OTMU2) on a 0.13 Acre Tract of Land Located on the North East Corner of the Intersection of Henrietta and Main Street; and Identified as Tract 1 of Lots 11 and 12, Block 14 of the Kealy Addition, as Requested by Victor Myers With the Authorization of the Property Owner (Case No. 20070102) (cont'd)**

(Agenda Item E-1)

Mayor Carey stated the City staff's recommendation was that the City Council approve the proposed ordinance amending the Lewisville Code of Ordinances, Chapter 17, the Comprehensive Zoning Ordinance approving the requested zone change from Light Industrial (LI) to Old Town Mixed Use Two (OTMU2).

Mayor Carey opened the public hearing.

Elizabeth Trosper, Economic Development Specialist, was present to respond to any questions posed by the City Council.

**MOTION:** Upon a motion made by Mayor Pro Tem Durham and seconded by Councilman Tierney, the Council voted four (4) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

City Attorney Ron Neiman read the ordinance caption into the record as follows:

"An Ordinance of the City Council of the City of Lewisville, Texas, That Amends the Zoning Ordinance of the City of Lewisville, Texas, Granting Zoning Changes on the 0.13 Acre Tract of Land Fully and Completely Described in the Attached Exhibit "A", Ordering a Change in the Use of Said Property From Light Industrial (LI) District Zoning to Old Town Mixed Use Two (OTMU2) District Zoning; Correcting the Official Zoning Map; Preserving All Other Portions of the Zoning Ordinance; Providing a Clause Relating to Severability; Determining That the Public Interests and General Welfare Demand a Zoning Change and Amendment Therein Made; Providing a Penalty; and Declaring an Emergency."

**MOTION:** Upon a motion made by Mayor Pro Tem Durham and seconded by Councilman Tierney, the Council voted four (4) "ayes" and no (0) "nays" to approve and adopt **Ordinance No. 3406-02-2007(Z)**, as previously captioned. The motion carried.

**Public Hearing: Consideration of Ordinance  
No. 3407-02-2007(Z) for a Zone Change  
Request From Agriculture Open Space (AO)  
to Light Industrial (LI) on a 2.5 Acre Tract  
Located Directly Northwest of the  
Intersection of Jones Street and Cowan  
Avenue at 417 East Jones Street; Further  
Identified as Tract 2 in the J. Wagner  
Survey, Abstract 1399; as Requested by Eliu  
Platas the Property Owner (Case No.  
PZ20070101)**

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(Agenda Item E-2)

The site is surrounded by U.S Army Corps of Engineers property to the north and east, and by Light Industrial and the City's water treatment plant operations to the west and south. A small lot zoned Agricultural Open Space with a residence is next door to this property to the west and is also owned by the applicant. The entire area is commercial in nature with the exception of a mobile home park that is southeast of this site with access off of Cowan Avenue. The applicant wishes to eventually operate his construction business from this site. In order to do so the applicant wishes to rezone the property to Light Industrial (LI) and will have to plat and site plan the property. A house currently exists on the property. Light Industrial zoning allows for up to 10% outside storage that would have to be screened according to the Lewisville General Development Ordinance. The Planning and Zoning Commission voted 5-0 in favor of the zone change request at their January 9, 2007, meeting.

Mayor Carey stated the City staff's recommendation was that the City Council approve the proposed ordinance amending the Lewisville Code of Ordinances, Chapter 17, the Comprehensive Zoning Ordinance approving the requested zone change from Agriculture Open Space (AO) to Light Industrial (LI).

Mayor Carey opened the public hearing.

Gene Lewis, Planning & Community Services Manager and Johnathan Mills, G&A Consultants, Inc., were both present to respond to any questions posed by the City Council.

**MOTION:** Upon a motion made by Councilman Nowels and seconded by Councilman Thornhill, the Council voted four (4) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

**Public Hearing: Consideration of Ordinance No. 3407-02-2007(Z) for a Zone Change Request From Agriculture Open Space (AO) to Light Industrial (LI) on a 2.5 Acre Tract Located Directly Northwest of the Intersection of Jones Street and Cowan Avenue at 417 East Jones Street; Further Identified as Tract 2 in the J. Wagner Survey, Abstract 1399; as Requested by Eliu Platas the Property Owner (Case No. PZ20070101) (cont'd)**

(Agenda Item E-2)

City Attorney Ron Neiman read the ordinance caption into the record as follows:

“An Ordinance of the City Council of the City of Lewisville, Texas, That Amends the Zoning Ordinance of the City of Lewisville, Texas, Granting Zoning Changes on the 2.50 Acre Tract of Land Fully and Completely Described in the Attached Exhibit "A", Ordering a Change in the Use of Said Property From Agriculture-Open Space (AO) District Zoning to Light Industrial (LI) District Zoning; Correcting the Official Zoning Map; Preserving All Other Portions of the Zoning Ordinance; Providing a Clause Relating to Severability; Determining That the Public Interests and General Welfare Demand a Zoning Change and Amendment Therein Made; Providing a Penalty; and Declaring an Emergency.”

**MOTION:** Upon a motion made by Councilman Tierney and seconded by Councilman Thornhill, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 3407-02-2007(Z)**, as previously captioned. The motion carried.

**Visitors/Citizens Forum**

(Agenda Item F)

No one appeared to speak at this time.

**CONSENT AGENDA**

(Agenda Item G)

**MOTION:** Upon a motion made by Councilman Thornhill and seconded by Councilman Nowels, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt all items on the Consent Agenda, as recommended and as follows:

- 3 **APPROVAL OF MINUTES:** City Council Minutes of the January 22, 2007, Workshop Session and Regular Session.

CONSENT AGENDA (cont'd)

(Agenda Item G)

4. Approval of a Bid Award for the Valley Ridge Northeast 30-Inch Waterline Project to Wilson Contractor Service, LLC, Denton, Texas, in the Amount of \$1,383,226.10; and Authorization for the City Manager to Execute the Contract.
5. Approval of a Bid Award for an Annual Requirements Contract for Ready Mix Concrete to Lattimore Materials, McKinney, Texas, for an Estimated Amount of \$130,065.
6. Approval of a Supplemental Budget Appropriation in the Amount of \$3,620 to the Grant Fund to Complete the Project Authorized Under the Buffer Zone Protection Grant.
7. Ratification of Emergency Expenditures in the Amount of \$648,119 for the Maintenance, Repair, and Replacement of a 42-Inch Sanitary Sewer Located on Lot 1A and 1B Block F of the Lakepointe, Phase III Subdivision; and Approval of a Supplemental Appropriation in the Amount of \$648,119 From Utility Capital Project Available Cash to Various Utility Capital Projects.
8. Approval of an Election Calendar and **Resolution No. 3408-02-2007(R)**: A Resolution of the City Council of the City of Lewisville, Texas, Ordering a General Election to be Held on May 12, 2007, for the Purpose of Electing Two (2) Members of the City Council (Place Nos. 4 and 5) to Hold Office for a Period of Three Years; Designating Locations of the Polling Places; and Ordering Notices of Election to be Given as Prescribed by Law in Connection With Such Election.
9. Approval of **Resolution No. 3409-02-2007(R)**: A Resolution of the City Council of the City of Lewisville, Approving a Joint Election Agreement With the Lewisville Independent School District for Elections to be Held on May 12, 2007.
10. Approval of **Resolution No. 3410-02-2007(R)**: A Resolution of the City Council of the City of Lewisville, Texas, Authorizing an Agreement Between the City of Lewisville, Texas, and the County of Denton, Texas, for Rental of Voting Machines and Equipment; and Supplies; Providing a Severability Clause; and Providing an Effective Date.

**CONSENT AGENDA (cont'd)**

**(Agenda Item G)**

11. Approval of **Resolution No. 3411-02-2007I(R)**: A Resolution of the City Council of the City of Lewisville, Texas, Appointing the Election Officials for the May 12, 2007, City Council Election, Setting the Rate of Pay for the Election Officials, the Maximum Number of Election Clerks for the Polling Places, and Designation of the Early Voting Ballot Board.
12. Approval of a Supplemental Appropriation to the General Fund From General Fund Balance to the Fire Station No. 7 Capital Project in the Amount of \$2,750,000.

The motion carried.

**END OF CONSENT AGENDA**

**Consideration of a Variance to the Lewisville Code of Ordinances, Chapter 6, Article V, Sections 6-58(e) Grading to Include Tree Removal Prior to Engineering Site Plan Approval as Requested by Pacheco Koch Consulting Engineers, on Behalf of Majestic Realty Group, the Property Owners**

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**(Agenda Item H-13)**

Mayor Carey advised that the property located generally west of Edmonds Lane and north of Hwy. 121 (Business) is zoned Light Industrial (LI). A Phase I grading plan has been submitted for review and the preliminary plat is tentatively scheduled for P&Z consideration on February 20, 2007. The developer has applied for a variance to allow grading the property including the removal of trees before an engineering site plan is approved. The developer has agreed to mitigate 1,073 caliper inches for a total of \$71,500. The site is proposed for large scale office-warehouse development.

Mayor Carey stated the City staff's recommendation was that the City Council approve the requested variance.

David Salmon, P.E., Assistant City Engineer and Javier Jaramillo P.E., Pacheco Koch Consulting Engineers, was present to respond to any questions posed by the City Council.

**Consideration of a Variance to the Lewisville Code of Ordinances, Chapter 6, Article V, Sections 6-58(e) Grading to Include Tree Removal Prior to Engineering Site Plan Approval as Requested by Pacheco Koch Consulting Engineers, on Behalf of Majestic Realty Group, the Property Owners (cont'd)**

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**(Agenda Item H-13)**

**MOTION:** Upon a motion made by Councilman Tierney and seconded by Mayor Pro Tem Durham, the Council voted four (4) “ayes” and no (0) “nays” to approve a Variance to the Lewisville Code of Ordinances, Chapter 6, Article V, Sections 6-58(e) Grading to Include Tree Removal Prior to Engineering Site Plan Approval as requested by Pacheco Koch Consulting Engineers, on behalf of Majestic Realty Group, the property owners, to allow grading the property including the removal of trees before an engineering site plan is approved and to mitigate 1,073 caliper inches for a total of \$71,500. The motion carried.

**Consideration of a Variance to the Lewisville Code of Ordinances, Off Street Parking Requirements, Chapter 6, Article VIII, Section 6-162(21) and Section 6-164, For a Proposed Amusement/Restaurant Project Located at 2565 MacArthur Blvd. in Lewisville, Texas as Requested by G&A Consultants, Inc., on Behalf of Going Bonkers, Owner**

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**(Agenda Item H-14)**

Mayor Carey advised that G & A Consultants, Inc., is requesting a variance to the parking requirements of the General Development Ordinance in conjunction with the proposed Going Bonkers restaurant/amusement site located at 2565 MacArthur Blvd. In order to comply with the General Development Ordinance there are a minimum of 187 parking spaces required for the site. G & A Consultants, Inc., on behalf of the owner, is requesting a variance to provide 124 parking spaces with an additional thirteen (13) parking spaces provided by formal agreement with Tropic Car Wash. This would be a variance to not provide 50 parking spaces required by ordinance. Staff has concerns regarding the parking issues related to the site and is asking City Council to consider the variance request.

Mayor Carey stated the City staff’s recommendation was that the City Council consider the requested variance to the off street parking requirements of the General Development Ordinance.

**Consideration of a Variance to the Lewisville Code of Ordinances, Off Street Parking Requirements, Chapter 6, Article VIII, Section 6-162(21) and Section 6-164, For a Proposed Amusement/Restaurant Project Located at 2565 MacArthur Blvd. in Lewisville, Texas as Requested by G&A Consultants, Inc., on Behalf of Going Bonkers, Owner (cont'd)**

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**(Agenda Item H-14)**

Eric Ferris, Director of Community Development was present to respond to any question posed by the City Council.

City Manager King advised that should the City Council grant the requested variance it would stay with the property regardless of the owner. Discussion was held regarding the mall had not approved additional parking for this facility to utilize and this would allow vehicles to be towed at the discretion of the Vista Ridge Mall.

**MOTION:** Upon a motion made by Councilman Nowels and seconded by Mayor Pro Tem Durham, the Council voted four (4) “ayes” and no (0) “nays” to approve a variance to the Lewisville Code of Ordinances, Off Street Parking Requirements, Chapter 6, Article VIII, Section 6-162(21) and Section 6-164, for a proposed amusement/restaurant project located at 2565 MacArthur Boulevard as requested by G&A Consultants, Inc., on behalf of Going Bonkers, owner, to provide 124 parking spaces with an additional thirteen (13) parking spaces provided by formal agreement with Tropic Car Wash. The motion carried.

**Third and Final Reading: Ordinance No. 3412-02-2007 Adopting Provisions for Pre-Payment for Gasoline and Diesel Fuel at Retail Fuel Businesses**

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**(Agenda Item H-15)**

At the January 8, 2007, City Council meeting, the Council approved the subject ordinance. Due to the lack of a 4/5's vote by the Council to adopt the ordinance on an emergency basis, the ordinance has to be read on three separate days to meet the City Charter requirements. This will be the third and final reading of the ordinance.

The City staff's recommendation was that the City Attorney provide the third and final reading of the ordinance. No action is required by the Council.

**Third and Final Reading: Ordinance No. 3412-02-2007 Adopting Provisions for Pre-Payment for Gasoline and Diesel Fuel at Retail Fuel Businesses (cont'd)**

**(Agenda Item H-15)**

City Attorney Ron Neiman read the ordinance caption into the record as follows:

“An Ordinance of the City Council of the City of Lewisville, Texas, Adopting Provisions for Prepayment for Gasoline and Diesel Fuel at Retail Fuel Businesses; Providing a Repealer; Providing for Severability; Providing a Penalty; and Providing an Effective Date.”

No action was necessary.

**Consideration of Naming Jail Facility.**

**(Agenda Item H-16)**

Mayor Carey advised that staff is recommending that the City Council consider naming the jail facility which is currently under design. Construction on this facility will begin in mid-June, 2007, with an expected completion date of mid-June, 2008.

Mayor Carey stated the City staff's recommendation was that the City Council consider naming the jail facility.

**MOTION:** Upon a motion made by Mayor Pro Tem Durham and seconded by Councilman Nowels, the Council voted four (4) “ayes” and no (0) “nays” to name the jail facility the Steve H. McFadden, Jr., Law Enforcement Center. The motion carried.

**Reports**

**(Agenda Item I)**

- Library Manager Ann Wiegand gave a report on the status of the new Library and advised that the Grand Opening would be held on Saturday, February 17<sup>th</sup> at 1:00 p.m.
- Director of Public Services Carole Bassinger updated the City Council on the status of Lake Lewisville
- Mayor Pro Tem Durham issued Deputy Mayor Pro Tem Ueckert a get well wish. He also advised that he would be out of town for the February 19, 2007, City Council meeting.
- Mayor Carey thanked City staff for putting together a great and productive retreat.
- Councilman Tierney issued compliments to City staff on the retreat and pointed out Zane Miller for the good job on all his presentations.

There were no additional reports at this time.

Mayor Carey adjourned the regular session of the Lewisville City Council into Executive Session at 7:28 p.m. Monday, February, 5, 2007, in accordance with the requirements of the Open Meetings Law.

**Executive Session**

**(Agenda Item J)**

In accordance with Texas Government Code, Subchapter D, Section 551.072 (REAL ESTATE), the Lewisville City Council convened into Executive Session at 7:30 p.m. on Monday, February 5, 2007, City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas, in order to discuss matters pertaining to the following:

1. Property Acquisition

Section 551.087 (ECONOMIC DEVELOPMENT):

2. Deliberation Regarding Economic Development for a Potential Company Relocation.

The Executive Session was adjourned at 7:43 p.m. on Monday, February 5, 2007.

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

**(Agenda Item K)**

Mayor Carey reconvened the Regular Session of the Lewisville City Council at 7:46 p.m. on Monday, February 5, 2007, in the Council Chambers of the Lewisville City Hall.

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

**Adjournment**

**(Agenda Item L)**

**MOTION:** Upon a motion made by Mayor Pro Tem Durham and seconded by Councilman Tierney, the Council voted four (4) "ayes" and no (0) "nays" to adjourn the Regular Session of the Lewisville City Council at 7:46 p.m. on Monday, February 5, 2007. The motion carried.

**LEWISVILLE CITY COUNCIL  
REGULAR SESSION  
FEBRUARY 5, 2007**

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These minutes approved by the Lewisville City Council on the 19<sup>th</sup> day of March, 2007.

APPROVED

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Gene Carey  
MAYOR

ATTEST:

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Julie Heinze  
CITY SECRETARY