

LEWISVILLE CITY COUNCIL

REGULAR SESSION

OCTOBER 1, 2007

Present:

Gene Carey, Mayor

Council Members:

Dean Ueckert, Mayor Pro Tem
David Thornhill, Deputy Mayor Pro Tem
Lathan Watts
Greg Tierney
Rudy Durham

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 – 5:30 P.M.

With a quorum of the Council Members present, the workshop session of the Lewisville City Council was called to order by Deputy Mayor Pro Tem Ueckert at 5:39 p.m. on Monday, October 1, 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.

Castle Hills Development Overview by Chris Bright

(Agenda Item A)

With the use of maps and artist renderings, Chris Bright with Castle Hill Development briefed and overviewed current and future projects planned within the Castle Hills Area.

Discussion was held that each district paid the same tax rate in Castle Hills. Mr. Bright advised that they had dropped the tax rate to .90 cents this year and that the rate had been at \$1.00 for a number of years and that had dropped to .95 cents the previous year. Mr. Bright further advised that in the next five years he anticipated being sold out of single family homes and they will be focusing more on the commercial aspect of this area.

Mr. Bright's presentation concluded at 6:30 p.m.

WORKSHOP SESSION – 6:30 P.M.

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

(Agenda Item B)

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 the Week of October 8-14, 2007, as “Fire Prevention Week”. There was no discussion on this item.

Mayor Carey reviewed Agenda Item D, Presentation: Life Saving Award to Officer Steve Dickens. There was no discussion on this item.

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

Mayor Carey reviewed Agenda Item F-1, Approval of Minutes: a) City Council Minutes of the September 10, 2007, Workshop Session and Regular Session; b) City Council Minutes of the September 17, 2007, Workshop Session and Regular Session; and c) City Council Minutes of the September 24, 2007, Called-Special Session. There was no discussion on this item.

Mayor Carey reviewed Agenda Item F-2, Approval of Agreements Between the City of Lewisville and Community Development Block Grant Sub-Recipients; Between the City of Lewisville and City Social Service Agency Fund Recipients; and Between the Community Development Department and Public Services Department for FY 2007-2008; and Authorization for City Officials to Execute the Agreements. There was no discussion on this item.

Mayor Carey reviewed Agenda Item F-3, Approval of a Resolution Authorizing the Suspension of the October 25, 2007, Effective Date of Atmos Energy Corp., Mid-Tex Division Requested Rate Change; Approving Cooperation With Atmos Cities Steering Committee and Other Cities in the Atmos Energy Corp., Mid-Tex Division Service Area to Hire Legal and Consulting Services and to Negotiate with the Company and Direct Litigation and Appeals. Mayor Carey advised he wanted this item pulled from the Consent Agenda to be discussed. 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 Carey reviewed Agenda Item F-4, Acceptance of \$22,149 Loan Star Libraries FY 2008 Grant Award to Purchase Services, Staff Training, and Equipment; and Authorize the City Manager to Execute the Texas State Library and Archives Commission Contract. There was no discussion on this item.

Mayor Carey reviewed Agenda Item F-5, Approval of an Interlocal Cooperation Agreement for Library Services with Denton County; Designation of the Library Manager as the Official Liaison for the City of Lewisville; and Authorization for the City Manager to Execute the Contract. City Attorney Neiman advised the City had just received a final version of the agreement and discovered some language that was unacceptable. He requested that the City Council pull this item from the Consent Agenda and table further discussion to the November 5, 2007, City Council meeting. There was no further discussion on this item.

Mayor Carey reviewed Agenda Item F-6, Approval of a Supplemental Appropriation to the Austin Ranch Elevated Storage Tank Project in the Amount of \$522,000 From Unallocated Revenue Bond Proceeds; Approval of a Bid Award for the Austin Ranch Elevated Storage Tank Project to Landmark Structures 1, L.P., Fort Worth, Texas in the Amount of \$2,879,427.83; and Authorization for the City Manager to Execute the Contract. City Engineer T.S. Kumar advised that once this item was approved it would take approximately 16 months to complete the project. There was no further discussion on this item.

Mayor Carey reviewed Agenda Item G-7, Consideration of a Variance to the Lewisville City Code, Article VIII, Section 2-201, Fee Schedule, Regarding the Waiver of Facility Rental Fees and Deposits at the Vista Ridge Amphitheatre. There was no discussion on this item.

Mayor Carey reviewed Agenda Item G-8, Tabled Item: Consideration of Appointment to Place No. 3 on the Transportation Board. There was no discussion on this item.

Mayor Carey reviewed Agenda Item G-9, Discussion and Consideration of Place No. 7 on the Board of Directors of the Lewisville Parks and Library Development Corporation. Mayor Carey advised that he had spoken with Wayne Ferguson regarding serving on this Corporation and that Mr. Ferguson had indicated he was interested. 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 Carey reviewed Agenda Item G-10, Consideration of Nominations to the Denton Central Appraisal District Appraisal Review Board. City Manager King advised that the School District had indicated that they thought Lee Baker and Doug Killough were willing to serve again. City Manager King suggested that if the City Council wished they could nominate these two members as the School Board did not meet until the date the nomination was due. City Manager King stated they could also nominate someone else if they wished. He advised that all of the existing board members had expressed a desire to continue to serving. City Manager King advised that Steve Mossman could also be nominated as currently he only served in an advisory capacity. Mayor Pro Tem Durham advised would be abstaining from this item as he is employed by the Denton Central Appraisal District. There was no further discussion on this item.

Mayor Carey reviewed Agenda Item G-11, Consideration of Aesthetic Design Guidelines as Prepared by the Texas Department of Transportation for IH35E Reconstruction and Special Enhancement Opportunities for Bridge Structures Located Within the City Limits; and Provide Direction to Staff and Texas Department of Transportation for the Development of Plans, Specifications, and Cost Estimates for the Project. Discussion held that this could be tabled to allow the City Council more time to review. City Manager King reviewed the costs of the designs and advised that the options with additional enhancement were somewhat cost prohibitive. There was no further discussion on this item.

Mayor Carey reviewed Agenda Item G-12, Third and Final Reading: Consideration of an Ordinance Amending Chapter 8 of the Lewisville City Code Concerning Miscellaneous Offenses by Adding Clauses to Prohibit the Public Display of Facsimile Firearms and Making Other Minor Changes to Simplify the Ordinance. There was no discussion on this item.

Mayor Carey reviewed Agenda Item H, Reports, Third Quarter Attendance Reports for Boards/Commissions/Committees. There was no discussion on this item.

Mayor Carey reviewed Agenda Item I-Closed 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 7:00 p.m. on Monday, October 1, 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, October 1, 2007, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

Invocation

(Agenda Item A)

At the request of Mayor Carey, Deputy Mayor Pro Tem Thornhill gave the invocation.

Pledge to the Flag

(Agenda Item B)

At the request of Mayor Carey, Councilman Durham gave the pledge to the flag.

**PROCLAMATIONS: Declaring the Week of
October 8-14, 2007, as "Fire Prevention
Week"**

(Agenda Item C)

Mayor Carey read and presented the proclamation declaring the week of October 8-14, 2007, as "Fire Prevention Week" to Division Chief Steve Carter. Division Chief Carter advised of the events that would be going on this week at the Fire Station.

**PRESENTATIONS: Life Saving Award to
Officer Steve Dickens**

(Agenda Item D)

Mayor Carey presented a Life Saving Award to Officer Steve Dickens for an event that occurred on February 21, 2007. Chief Kerbow advised that this is the second life saving occurrence that Officer Dickens had been involved in this year. Chief Kerbow stated that Officer Dickens was recently honored as the Denton County Officer of the Year.

Visitors/Citizens Forum

(Agenda Item E)

The Actors Conservator Theatre along with JoeAnn Brooks gave a short performance of their upcoming production of Huck Finn and advised of the location, dates and times for the performance.

Visitors/Citizens Forum (cont'd)

(Agenda Item E)

John Gorena, 417 Creekwood, Lewisville, Texas, spoke before the City Council regarding comments he had made at past meetings. Mr. Gorena apologized for any misunderstanding regarding his comments and stated that he thinks that the City is well managed and the City Manager is doing a great job. He further stated that at the September 17, 2007, City Council meeting he had stated he did not remember making certain comments regarding property abatement; however, he now does and wanted to publicly apologize.

No one else appeared to speak at this time.

CONSENT AGENDA

(Agenda Item F)

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

1. Consent Agenda Item No. 3 - Approval of a Resolution Authorizing the Suspension of the October 25, 2007, Effective Date of Atmos Energy Corp., Mid-Tex Division Requested Rate Change; Approving Cooperation With Atmos Cities Steering Committee and Other Cities in the Atmos Energy Corp., Mid-Tex Division Service Area to Hire Legal and Consulting Services and to Negotiate with the Company and Direct Litigation and Appeals.
2. Consent Agenda item No. 5 - Approval of an Interlocal Cooperation Agreement for Library Services with Denton County; Designation of the Library Manager as the Official Liaison for the City of Lewisville; and Authorization for the City Manager to Execute the Contract. 6. Approval of a Supplemental Appropriation to the Austin Ranch Elevated Storage Tank Project in the Amount of \$522,000 From Unallocated Revenue Bond Proceeds; Approval of a Bid Award for the Austin Ranch Elevated Storage Tank Project to Landmark Structures 1, L.P., Fort Worth, Texas in the Amount of \$2,879,427.83; and Authorization for the City Manager to Execute the Contract.

MOTION: Upon a motion made by Mayor Pro Tem Ueckert and seconded by Councilman Watts, 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:

1. APPROVAL OF MINUTES:
 - a. City Council Minutes of the September 10, 2007, Workshop Session and Regular Session;

CONSENT AGENDA (cont'd)

(Agenda Item F)

- b. City Council Minutes of the September 17, 2007, Workshop Session and Regular Session; and
 - c. City Council Minutes of the September 24, 2007, Called-Special Session.
2. Approval of **Resolution No. 3501-10-2007(R)**: A Resolution of the City Council of the City of Lewisville, Texas, Authorizing the City Manager to Contract With Budgeted Subrecipients Receiving Portions of the City of Lewisville's U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Entitlement Funding and City of Lewisville Social Service Funding; and Authorizing the Director of Community Development to Execute Letters of Agreement With City Departments Receiving CDBG Funding for FY 2007-2008.
4. Acceptance of \$22,149 Loan Star Libraries FY 2008 Grant Award to Purchase Services, Staff Training, and Equipment; and Authorize the City Manager to Execute the Texas State Library and Archives Commission Contract.
6. Approval of a Supplemental Appropriation to the Austin Ranch Elevated Storage Tank Project in the Amount of \$522,000 From Unallocated Revenue Bond Proceeds; Approval of a Bid Award for the Austin Ranch Elevated Storage Tank Project to Landmark Structures 1, L.P., Fort Worth, Texas in the Amount of \$2,879,427.83; and Authorization for the City Manager to Execute the Contract.

The motion carried.

END OF CONSENT AGENDA

**Approval of Resolution No. 3499-10-2007(R):
A Resolution of the City of Lewisville
Suspending the October 25, 2007, Effective
Date of Atmos Energy Corp., Mid-Tex
Division Requested Rate Change to Permit
the City Time to Study the Request and to
Establish Reasonable Rates; Approving
Cooperation With Atmos Cities Steering
Committee and Other Cities in the Atmos
Energy Corp., Mid-Tex Division Service
Area To Hire Legal and Consulting Services
and to Negotiate With the Company and
Direct any Necessary Litigation and Appeals;
Requiring Reimbursement of Cities' Rate
Case Expenses; Finding That the Meeting at
Which This Resolution is Passed is Open to
the Public as Required by Law; Requiring
Notice of This Resolution to the Company
and Legal Counsel**

(Consent Agenda Item F-3)

Atmos Energy has filed a request for a \$52 million rate increase. If approved, the increase would raise rates for the average residential customer by nearly \$20 per year. The rate increase requested by Atmos will become effective on October 25, 2007, unless the city takes action to suspend the effective date. State law permits cities to extend the effective date by up to 90 days in order to study the filing. The city must take action to suspend the effective date by October 25, 2007. The purpose of this resolution is to suspend the effective date of the rate increase to allow time to evaluate the filing, determine whether the filing complies with the law, and what further strategy to pursue.

City staff's recommendation was that the City Council approve the resolution authorizing the suspension of the October 25, 2007, Effective Date of Atmos Energy Corp., Mid-Tex Division Requested Rate Change.

At the request of Mayor Carey, City Manager King reviewed this item for the City Council.

MOTION: Upon a motion made by Councilman Tierney and seconded by Councilman Durham, the Council voted five (5) "ayes" and no (0) "nays" to approve **Resolution No. 3499-10-2007(R)**, as previously captioned. The motion carried.

Approval of an Interlocal Cooperation Agreement for Library Services with Denton County; Designation of the Library Manager as the Official Liaison for the City of Lewisville; and Authorization for the City Manager to Execute the Contract

(Consent Agenda Item F-5)

A total of six (6) bid invitations were issued, including three (3) downloaded from DemandStar.com. Two (2) bids were received and opened on September 13, 2007. This project consists of construction of a new two-million gallon elevated storage tank near the northwest corner of Windhaven Parkway and Trinity Drive. Funding is available from capital project accounts.

That the City Council approve a supplemental appropriation to the Austin Ranch Elevated Storage Tank Project in the amount of \$522,000 from the Unallocated Revenue Bond Proceeds; approve a bid award for the Austin Ranch Elevated Storage Tank Project to Landmark Structures 1, L.P., Fort Worth, Texas, in the amount of \$2,879,427.83; and authorize the City Manager to execute the contract.

City Attorney Ron Neiman advised that City staff had discovered some language in the agreement that is not acceptable and requested that this item be tabled to the November 5, 2007, City Council meeting.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Thornhill and seconded by Councilman Tierney, the Council voted five (5) "ayes" and no (0) "nays" to table this item to November 5, 2007, City Council meeting. The motion carried.

Consideration of a Variance to the Lewisville City Code, Article VIII, Section 2-201, Fee Schedule, Regarding the Waiver of Facility Rental Fees and Deposits at the Vista Ridge Amphitheatre

(Agenda Item G-7)

Mayor Carey advised that on October 10, 2007, Holt-Lunsford Commercial, a real estate services firm, will be hosting a development showcase at their newly developed property in the Vista Ridge area for approximately 500 attendees from major DFW real estate brokerage firms. The private party will host country music artist Jack Ingram as musical entertainment for the evening at the Vista Ridge Amphitheatre. As this function will benefit economic development efforts within the city by familiarizing key commercial brokers with this particular area, the firm is requesting that Council waive all fees and deposits for use of the amphitheatre.

Consideration of a Variance to the Lewisville City Code, Article VIII, Section 2-201, Fee Schedule, Regarding the Waiver of Facility Rental Fees and Deposits at the Vista Ridge Amphitheatre (cont'd)

(Agenda Item G-7)

Mayor Carey stated the City staff's recommendation was that the City Council approve the request to waive facility rental and deposit fees.

Mayor Carey advised that John Hctor, 5055 Kevan Springs, Suite 300, Addison, Texas, 75001, was available for any questions posed by the City Council.

MOTION: Upon a motion made by Councilman Durham and seconded by Mayor Pro Tem Ueckert, the Council voted five (5) "ayes" and no (0) "nays" to approve a variance to the Lewisville City Code, Article VIII, Section 2-201, Fee Schedule, Regarding the Waiver of Facility Rental Fees and Deposits at the Vista Ridge Amphitheatre. The motion carried.

Tabled Item: Consideration of Appointment to Place No. 3 on the Transportation Board

(Agenda Item G-8)

Mayor Carey advised that at the August 6, 2007 meeting, the City Council accepted the resignation of Coleen Davis from Place No. 3 on the Transportation Board. At the time of the meeting, no applications had been received for the Transportation Board during the most recent appointment process. The Transportation Board only meets quarterly and did not have a meeting scheduled until the third Thursday in October. Due to these two situations, the City Council tabled this item until a later date to allow time for additional applications to be submitted for this Board.

Mayor Carey stated the City staff's recommendation was that the City Council consider an appointment to fill the vacancy on the Transportation Board.

MOTION: Upon a motion made by Councilman Tierney and seconded by Councilman Durham, the Council voted five (5) "ayes" and no (0) "nays" to appoint John Gorena to Place No. 3 on the Transportation Board. The motion carried.

**Discussion and Consideration of Place No. 7
on the Board of Directors of the Lewisville
Parks and Library Development
Corporation**

(Agenda Item G-9)

Mayor Carey advised that the Articles of Incorporation for this board state that the board of directors be composed of seven (7) persons appointed by the City Council who are residents of the City and that no more than four (4) of the seven (7) members may be City employees, officers, or members of the City Council. Currently, the members serving on this corporation are Gene Carey, David Thornhill, Ken Judkins, Jeff Pelletier, Dean Ueckert, Rudy Durham, and Joe Molina. Joe Molina has now submitted his resignation from the Lewisville Parks and Library Development Corporation.

Mayor Carey stated the City staff's recommendation was that the City Council consider a new appointment to Place No. 7 on the Board of Directors of the Lewisville Parks and Library Development Corporation.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Thornhill and seconded by Councilman Tierney, the Council voted five (5) "ayes" and no (0) "nays" to appoint Wayne Ferguson to Place No. 7 on the Lewisville Parks and Library Development Corporation. The motion carried.

**Consideration of Nominations to the Denton
Central Appraisal District Appraisal Review
Board**

(Agenda Item G-10)

Councilman Durham advised that he would be abstaining from discussion and consideration of this item due to a conflict of interest. The appropriate Conflict of Interest Affidavit has been filled out and filed with the City Secretary. Councilman Durham moved away from the dais.

Mayor Carey advised that the Denton Central Appraisal District (DCAD) is requesting nominees for possible appointment to the Appraisal Review Board. Nominees will need to complete a questionnaire which must be returned to the Appraisal District by October 15, 2007. The DCAD Board of Directors will make their final decision at their December Board of Directors meeting. Each jurisdiction may nominate up to five persons.

Mayor Carey stated the City staff's recommendation was that the City Council consider nominations to the Denton Central Appraisal District Appraisal Review Board.

**Consideration of Nominations to the Denton
Central Appraisal District Appraisal Review
Board (cont'd)**

(Agenda Item G-10)

MOTION: Upon a motion made by Mayor Pro Tem Ueckert and seconded by Councilman Watts, the Council voted four (4) “ayes” and no (0) “nays” to nominate Lee Baker and Doug Killough to the Denton Central Appraisal District Appraisal Review Board. The motion carried.

Councilman Durham returned to his place on the dais.

**Consideration of Aesthetic Design Guidelines
as Prepared by the Texas Department of
Transportation for IH35E Reconstruction
and Special Enhancement Opportunities for
Bridge Structures Located Within the City
Limits; and Provide Direction to Staff and
Texas Department of Transportation for the
Development of Plans, Specifications, and
Cost Estimates for the Project**

(Agenda Item G-11)

Mayor Carey advised that in July 2007, TxDOT presented Conceptual Aesthetic Design Guidelines for the reconstruction of IH35 bridge structures. The presentation described three corridors or districts which would allow for independent paint and texture schemes, guardrail design and decorative signage for cross streets without additional cost to the City. The presentation also provided several bridge enhancements to create signature type bridges. Council reviewed the basic guidelines and proposed enhancements at the August 27, 2007 called special meeting. TxDOT is seeking direction and approval from the City regarding the design guidelines and any enhancements the City may desire to allow TxDOT to proceed with preparation of plans, specs, and cost estimates.

Mayor Carey stated the City staff’s recommendation was that the City Council provide direction to staff and TxDOT regarding the base aesthetic design of bridge structures; and provide direction of recommended location and enhancements for signature bridges.

At the request of Mayor Carey, City Manager King reviewed this agenda the various designs and explained the baseline cost for the bridges and that the conceptual additional enhancement costs would be born by the City. City Manager King advised that many of the enhancements were cost prohibitive. Discussion was held regarding how the baseline bridges would look without the various enhancements. City Manager King advised that TxDOT would like to have some decision tonight so they can get a better cost estimate; however, if the Council

**Consideration of Aesthetic Design Guidelines
as Prepared by the Texas Department of
Transportation for IH35E Reconstruction
and Special Enhancement Opportunities for
Bridge Structures Located Within the City
Limits; and Provide Direction to Staff and
Texas Department of Transportation for the
Development of Plans, Specifications, and
Cost Estimates for the Project (cont'd)**

(Agenda Item G-11)

needed additional time or information they could table this item. Discussion was held regarding funding for the additional enhancements.

At the request of Mayor Pro Tem Ueckert the renderings of pages 30, 33, 34 were reviewed.

Mayor Pro Tem Ueckert advised that for the Main Street and FM 3040 bridges, he would like to use the baseline design and add the railing and towers shown on page 34. Mayor Pro Tem Ueckert stated he felt this would be keeping with the Old Town theme. Mayor Pro Tem Ueckert advised that this option would cost \$2 million which the City Manager had stated the City had funding for through the bonds that have been approved to be sold for the construction of the bridges. Mayor Pro Tem Ueckert further stated that he would also like to look at this design type for all the bridges located within the City. Mayor Pro Tem Ueckert requested that City staff obtain a cost for adding these features on the bridges located on Lake Lewisville, Valley Ridge, and Fox Avenue so that all City bridges would have that same aesthetic look. Mayor Pro Tem Ueckert advised that the structures do not need to change, he just would like the decorative features added.

Discussion was held regarding the blue decoration located on the Lake Lewisville bridge shown on the rendering on page 30. Mayor Pro Tem Ueckert stated that these features could be removed and replaced with the towers shown on page 34. He just wants to see the cost for these features on the bridges over Lake Lewisville, Valley Ridge, and Fox Avenue. Councilman Tierney concurred with Mayor Pro Tem Ueckert's comments regarding consistency throughout the City; however, felt that perhaps a nautical theme could be used on the Lake Lewisville Bridge. Councilman Durham recommended replacing the towers with lighthouses on the Lake Lewisville bridge.

Consideration of Aesthetic Design Guidelines as Prepared by the Texas Department of Transportation for IH35E Reconstruction and Special Enhancement Opportunities for Bridge Structures Located Within the City Limits; and Provide Direction to Staff and Texas Department of Transportation for the Development of Plans, Specifications, and Cost Estimates for the Project (cont'd)

(Agenda Item G-11)

MOTION: Upon a motion made by Mayor Pro Tem Ueckert and seconded by Councilman Durham, the Council voted five (5) "ayes" and no (0) "nays" to use the baseline design for the Main Street and FM 3040 bridges and add the railing and towers shown on page 33 and 34; requested City staff contact TxDOT to determine the cost for adding these features on the main street lanes of the bridges located on Lake Lewisville, Valley Ridge, and Fox Avenue so that all City bridges would have that same aesthetic look, and replace the decorative towers on the Lake Lewisville bridge with lighthouses. The motion carried.

Third and Final Reading: Consideration of Ordinance No. 3500-10-2007 Amending Chapter 8 of the Lewisville City Code Concerning Miscellaneous Offenses by Adding Clauses to Prohibit the Public Display of Facsimile Firearms and Making Other Minor Changes to Simplify the Ordinance

(Agenda Item G-12)

Mayor Carey advised that at the September 10, 2007, City Council meeting, the Council approved the subject ordinance. However, due to the lack of a 4/5's vote by the Council to adopt the ordinance on an emergency basis, the ordinance will have to be read on three separate days to meet the City Charter requirements. This will be the third and final reading of the ordinance.

Mayor Carey stated the City staff's recommendation was that the City Attorney provide the third and final reading of the ordinance.

Mayor Carey advised that John Goren, 417 Creekwood, Lewisville, Texas had submitted card indicating his support of this item.

Third and Final Reading: Consideration of Ordinance No. 3500-10-2007 Amending Chapter 8 of the Lewisville City Code Concerning Miscellaneous Offenses by Adding Clauses to Prohibit the Public Display of Facsimile Firearms and Making Other Minor Changes to Simplify the Ordinance (cont'd)

(Agenda Item G-12)

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, Amending Chapter 8 of the Lewisville City Code by Prohibiting the Display of Facsimile Firearms; by Deleting Section 8-2, Firearms in City Buildings, and Incorporating Said Section Into Section 8-1, Control of Weapons; Making Minor Changes to Other Sub-Sections as Noted; Providing for Defenses; Providing for a Repealer; Providing for Severability; Providing a Penalty; and Providing an Effective Date.”

No action was needed on this item.

Reports

(Agenda Item I)

- Third Quarter Boards/Commissions/Committees Attendance Reports
- Assistant City Manager Donna Barron gave an update on upcoming performance for the Fall Music Series.
- Mayor Pro Tem Ueckert thanked the City Secretary's Office and Lewisville choir for the great job they had done at the Boards and Commission Annual Banquet..
- Mayor Carey echoed Mayor Pro Tem Ueckert's comments regarding the Boards and Commission Banquet.

There were no additional reports at this time.

Mayor Carey adjourned the regular session of the Lewisville City Council into Closed Session at 7:55 p.m. Monday, October 1, 2007, in accordance with the requirements of the Open Meetings Law.

Closed Session

(Agenda Item J)

In accordance with Texas Government Code, Subchapter D, Section 551.072 (REAL ESTATE), the Lewisville City Council convened into Closed Session at 7:58 p.m. on Monday, October 1, 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 Closed Session was adjourned at 8:15 p.m. on Monday, October 1, 2007.

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

(Agenda Item K)

Mayor Carey reconvened the Regular Session of the Lewisville City Council at 8:15 p.m. on Monday, October 1, 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 Closed Session. There was no action taken on the items discussed during the Closed Session.

Adjournment

(Agenda Item L)

MOTION: Upon a motion made by Councilman Tierney and seconded by Councilman Watts, the Council voted five (5) "ayes" and no (0) "nays" to adjourn the Regular Session of the Lewisville City Council at 8:15 p.m. on Monday, October 1, 2007. The motion carried.

These minutes approved by the Lewisville City Council on the 15th day of October, 2007.

APPROVED

Gene Carey, MAYOR

ATTEST:

Julie Heinze, CITY SECRETARY