

LEWISVILLE CITY COUNCIL

REGULAR SESSION

JANUARY 28, 2008

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:

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 6:30 p.m. on Monday, January 28, 2008, 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-1, Public Hearing: Consideration of an Ordinance for a Zone Change Request From Single-Family Residential (R7.5) to Old Town Mixed Use Two (OTMU2) on Six Tracts of Land Totaling 1.94 Acres Identified as Lots 5, 6 and 9-12, Block 4 of the O.B. Dick Addition as Requested by Bennie Grissom on Behalf of the Property Owner First Assembly of God (Case Nos. 20080101, 20080102, 20080103). 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, Visitors/Citizens Forum. There was no discussion on this item.

Mayor Carey reviewed Agenda Item E-1, Approval of Revisions to Administrative Policy 2.7.4 Employee Performance Evaluation/Compensation Plan. There was no discussion on this item.

Mayor Carey reviewed Agenda Item E-2, Approval of a Supplemental Budget Appropriation in the Amount of \$159,885 From the Utility Fund Reserves to the Fiscal Year 2007-2008 Public Services Department; Approval of a Professional Services Agreement With Malcolm Pirnie, Inc., in the Amount of \$159,885 for a Comprehensive Water Quality Study; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Carey reviewed Agenda Item E-3, Approval of a Bid Award for the Erosion Repairs to Prairie Creek Project to Erosion and Retaining Wall Structures, Inc., Lewisville, Texas, in the Amount of \$252,767.55; and Authorization for the City Manager to Execute the Contract. There was no discussion on this item.

Mayor Carey reviewed Agenda Item E-4, Approval of a Supplemental Budget Appropriation in the Amount of \$7,994 From the Municipal Court Security Fund Balance to Pay for Court Security, Prisoner Transport During Warrant Round Up, and for the Purchase of Various Security Devices to be Used by the Court. There was no discussion on this item.

Mayor Carey reviewed Agenda Item E-5, Approval of a Supplemental Appropriation for Prior Year Encumbrances in the Following Amounts: General Fund - \$204,308; Hotel/Motel Fund - \$31,900; Recreation Fund - \$2,067; Old Town TIF Fund - \$6,091; Grant Fund - \$546,707; Water and Sewer Fund - \$179,281; Vehicle and Equipment Replacement Fund - \$345,214; Insurance Fund - \$9,800; Police Asset Forfeiture/State Fund - \$48,120; Health Fund - \$20,000; and Parks and Library Development Fund - \$2,121. 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 E-6, Approval of a Contract With SimpleView in the Amount of \$84,525 for Redevelopment of the Lewisville Convention and Visitors Bureau Website; Approval of a Supplemental Appropriation From Hotel-Motel Fund Reserves in the Amount of \$84,525; and Authorization for the City Manager to Execute the Contract. There was no discussion on this item.

Mayor Carey reviewed Agenda Item E-7, Tabled Item: Approval of a Resolution Encouraging the Texas Legislature to Establish Statewide Residency Restrictions for Certain Convicted Sex Offenders no Longer on Probation or Parole. There was no discussion on this item.

Mayor Carey reviewed Agenda Item E-8, Approval of an Election Calendar and a Resolution Calling the May 10, 2008 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. City Secretary Julie Heinze advised that some of the precinct number have changed and are reflected on the resolution that will be signed. There was no further discussion on this item.

Mayor Carey reviewed Agenda Item E-9, Approval of a Wholesale Water Supply Agreement with Denton County Fresh Water Supply District No. 1-A; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Carey reviewed Agenda Item F-10, Consideration of a Variance to the Lewisville City Code for a Temporary Sales and Marketing Office at The Villas at Wellington Townhome Development Located at Bellaire and Valley Parkway, Requested by Portrait Homes. There was no discussion on this item.

Mayor Carey reviewed Agenda Item F-11, Consideration of Variances to the Lewisville City Code, Relating to Chapter 6, Land Use, Driveways, Streets, and Non Residential Landscape Requirements, Associated With the Proposed Site for Firehouse No. 7 Located at the Southeast Corner of Texas and McDonnell Streets as Requested by BRW Architects, Inc., the Architects for City of Lewisville Firehouse No. 7. 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 F-12, Consideration of a Variance to the Lewisville City Code, Article VIII, Section 2-201, Fee Schedule, Regarding the Waiver of Facility Rental, Staffing and Deposit Fees of the Third Floor of City Hall per a Request by Michael Marco Representing Rebecca Binkey. There was no discussion on this item.

Mayor Carey reviewed Agenda Item F-13, Consideration of an Ordinance Amending the Lewisville City Code, Article VI, Chapter 4 by Establishing a New Residential Rental Inspection Program. City Manager King pointed out the letter from the local realtors that had been e-mailed to the City Council indicating their support. There was no further discussion on this item.

Mayor Carey reviewed Agenda Item F-14, Consideration of an Ordinance Restricting Where Certain Convicted Sex Offenders can Reside. There was no discussion on this item.

Mayor Carey reviewed Agenda Item F-15, Consideration of the Addition of a Public Safety Communications Manager Position. There was no discussion on this item.

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

Mayor Carey reviewed Agenda Item H-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 6:36 p.m. on Monday, January 28, 2008.

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, January 28, 2008, 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 Mayor Pro Tem Ueckert gave the pledge to the flag.

**Public Hearing: Consideration of Ordinance
No. 3530-01-2008(Z) for a Zone Change
Request From Single-Family Residential
(R7.5) to Old Town Mixed Use Two (OTMU2)
on Six Tracts of Land Totaling 1.94 Acres
Identified as Lots 5, 6 and 9-12, Block 4 of the
O.B. Dick Addition as Requested by Bennie
Grissom on Behalf of the Property Owner
First Assembly of God (Case Nos. 20080101,
20080102, 20080103)**

(Agenda Item C)

The proposed zoning classification Old Town Mixed Use Two (OTMU2) is in keeping with the recommendations of the Old Town Master Plan. The applicant would like to re-zone for better flexibility regarding setbacks on the property. R7.5 zoning allows setbacks of: front— 30 feet, sides—10% of lot width, rear—20 feet. The new zoning will allow for front setbacks—0 feet, sides—6.5 feet for residential or 0 feet for commercial, rear—20 feet for single-family residential and 10 feet for commercial. OTMU2 also allows additional uses which include office, retail, and other similar uses. The Planning and Zoning Commission voted unanimously in favor of the zone change request at their January 8, 2008 meeting.

The City staff's recommendation was that the City Council approve the proposed ordinance amending the Lewisville City Code, Chapter 17, the Comprehensive Zoning Ordinance approving the requested zone change from Single-Family Residential (R7.5) to Old Town Mixed Use Two (OTMU2).

Mayor Carey opened the public hearing.

Sarah McLain, Economic Development Specialist and Bennie Grissom, were both present to respond to any questions posed by the City Council.

MOTION: Upon a motion made by Councilman Durham and seconded by Councilman Watts, the Council voted five (5) "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 1.94 Acre Tract of Land Fully and Completely Described in the Attached Exhibit "A", Ordering a Change in the Use of Said Property From Single-Family Residential (R7.5) 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 Councilman Durham and seconded by Councilman Watts, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 3530-01-2008(Z)**, as previously captioned. The motion carried.

Visitors/Citizens Forum

(Agenda Item D)

No one appeared to speak at this time.

CONSENT AGENDA

(Agenda Item E)

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

1. Consent Agenda Item No. 7 – Tabled Item: Approval of a Resolution Encouraging the Texas Legislature to Establish Statewide Residency Restrictions for a Convicted Sex Offender Whose Victim Was a Minor, When Such Sex Offender is no Longer on Probation or Parole.

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

1. Approval of Revisions to Administrative Policy 2.7.4 Employee Performance Evaluation/Compensation Plan.

2. Approval of a Supplemental Budget Appropriation in the Amount of \$159,885 From the Utility Fund Reserves to the Fiscal Year 2007-2008 Public Services Department; Approval of a Professional Services Agreement With Malcolm Pirnie, Inc., in the Amount of \$159,885 for a Comprehensive Water Quality Study; and Authorization for the City Manager to Execute the Agreement.
3. Approval of a Bid Award for the Erosion Repairs to Prairie Creek Project to Erosion and Retaining Wall Structures, Inc., Lewisville, Texas, in the Amount of \$252,767.55; and Authorization for the City Manager to Execute the Contract.
4. Approval of a Supplemental Budget Appropriation in the Amount of \$7,994 From the Municipal Court Security Fund Balance to Pay for Court Security, Prisoner Transport During Warrant Round Up, and for the Purchase of Various Security Devices to be Used by the Court.
5. Approval of a Supplemental Appropriation for Prior Year Encumbrances in the Following Amounts: General Fund - \$204,308; Hotel/Motel Fund - \$31,900; Recreation Fund - \$2,067; Old Town TIF Fund - \$6,091; Grant Fund - \$546,707; Water and Sewer Fund - \$179,281; Vehicle and Equipment Replacement Fund - \$345,214; Insurance Fund - \$9,800; Police Asset Forfeiture/State Fund - \$48,120; Health Fund - \$20,000; and Parks and Library Development Fund - \$2,121.
6. Approval of a Contract With SimpleView in the Amount of \$84,525 for Redevelopment of the Lewisville Convention and Visitors Bureau Website; Approval of a Supplemental Appropriation From Hotel-Motel Fund Reserves in the Amount of \$84,525; and Authorization for the City Manager to Execute the Contract.
8. Approval of an Election Calendar and **Resolution No. 3531-01-2008(R)**: A Resolution of the City Council of the City of Lewisville, Texas, Ordering a General Election to be Held on May 10, 2008, for the Purpose of Electing Two (2) Members of the City Council (Place Nos. 1 and 3) 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 a Wholesale Water Supply Agreement with Denton County Fresh Water Supply District No. 1-A; and Authorization for the City Manager to Execute the Agreement.

The motion carried.

END OF CONSENT AGENDA

Tabled Item: Approval of a Resolution No. 3532-01-2008(R): A Resolution of the City Council of the City of Lewisville, Texas, Encouraging the Texas Legislature to Establish Statewide Residency Restrictions for a Convicted Sex Offender Whose Victim Was a Minor, When Such Sex Offender is no Longer on Probation or Parole

(Consent Agenda Item E-7)

The proposed resolution encourages the Texas Legislature to pass a uniform, statewide law extending the residency restrictions of certain sex offenders beyond the current requirements to include the period of time after certain convicted sex offenders have completed their sentence and probationary terms.

The City staff's recommendation was that the City Council approve the resolution.

Bill Franz, 1913 Wild Horse Corral, Lewisville, Texas 75067, spoke before the City Council and advised he agreed with Statewide residency restrictions for sex offenders; however, he was in opposition of the proposed resolution as he was not aware of what it contained. Mr. Franz stated that he felt not all sex offenders should have the same restrictions, that there should be variations depending on the offense.

Mayor Pro Tem Ueckert advised that he felt Mr. Franz's concerns were addressed in the proposed resolution.

MOTION: Upon a motion made by Mayor Pro Tem Ueckert and seconded by Deputy Mayor Pro Tem Thornhill, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt **Resolution No. 3532-01-2008(R)**, as previously captioned.

Consideration of a Variance to the Lewisville City Code for a Temporary Sales and Marketing Office at The Villas at Wellington Townhome Development Located at Bellaire and Valley Parkway, Requested by Portrait Homes

(Agenda Item F-10)

Portrait Homes is currently developing a 225 unit townhome project on a 28.04 acre property zoned TH2, located at the northeast corner of Bellaire and Valley Parkway. A variance is being requested to place a temporary sales and marketing office on their site for the purpose of pre-sales before the project is completed. The City of Lewisville building code does not allow portable buildings to be placed in the City for the purposes of sales offices of this type. Council has previously approved similar requests, on a temporary basis, for Heritage Hill 2003, Rockbrook Place 2003, Settlers Village 2005 and Lynn Square 2006.

The City staff's recommendation was that the City Council approve the request for variance provided that the temporary sales office be removed 12 months from the date of approval of the variance or after a Certificate of Occupancy is issued for the Villas at Wellington models, whichever date arrives first.

Scot Whitker, Portrait Homes, was present to respond to any questions posed by the City Council.

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 the variance request to place a temporary sales and marketing office on their site for the purpose of pre-sales before the project is completed, provided that the temporary sales office be removed 12 months from the date of approval of the variance or after a Certificate of Occupancy is issued for the Villas at Wellington models, whichever date arrives first. The motion carried.

Consideration of Variances to the Lewisville City Code, Relating to Chapter 6, Land Use, Driveways, Streets, and Non Residential Landscape Requirements, Associated With the Proposed Site for Firehouse No. 7 Located at the Southeast Corner of Texas and McDonnell Streets as Requested by BRW Architects, Inc., the Architects for City of Lewisville Firehouse No. 7

(Agenda Item F-11)

The property, the former Owens Family Restaurant site, is located at the southeast corner of Texas and McDonnell Streets, is approximately 1.7 acres in size and zoned Public Use (PU). The site is the proposed location for Firehouse No. 7. The former Owens Restaurant building has been cleared from the site; however, the original parking lot and much of the original landscaping remains with the intent to incorporate them into the site plan for the new firehouse. During a meeting with staff to review the proposed site plan, several variances were identified including: a) Driveway width; b) Control of Access; c) Street improvements; and d) Width of the landscape strip along McDonnell Street.

The City staff's recommendation was that the City Council approve the requested variances.

David Salmon, Assistant City Engineer and Gary Deuries, BRW Architects, were both present to respond to any questions posed by the City Council.

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 approve the following variance requests: a) Driveway width; b) Control of Access; c) Street improvements; and d) Width of the landscape strip along McDonnell Street. 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, Staffing and Deposit Fees of the Third Floor of City Hall per a Request by Michael Marco Representing Rebecca Binkey

(Agenda Item F-12)

A Cinco de Mayo Scholarship Kick Off Event will be held on Friday, February 8th, from 5pm – 10pm. Michael Marco, representing Rebecca Binkey, is requesting that Council waive all fees and deposits for use of the third floor of City Hall for this event.

The City staff's recommendation was that the City Council approve the request to waive facility rental, staffing and deposit fees.

MOTION: Upon a motion made by Councilman Watts and seconded by Councilman Durham, the Council voted five (5) "ayes" and no (0) "nays" to approve the request to waive facility rental, staffing and deposit fees. The motion carried.

**Consideration of Ordinance Amending the
Lewisville City Code, Article VI, Chapter 4
by Establishing a New Residential Rental
Inspection Program**

(Agenda Item F-13)

Periodic workshops by staff and City Council have been held for consideration of inspection of residential rental properties. The City Council directed staff to prepare an ordinance regulating inspection of residential rental properties. The proposed ordinance, at the present time, will not require registration and will be free of charge. The program would be triggered by either proactive measures by the owner, transfer of water services by the tenant or owner, or by complaint basis by the tenant, owner, etc.

The City staff's recommendation was that the City Council consider the proposed ordinance.

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

Connie Niedzwiecki, Greater Lewisville Association of Realtors submitted a position card indicating her support of this item.

Discussion was held by the City Council regarding the proposed ordinance.

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 4, Article VI of the Lewisville City Code by Establishing a Residential Rental Inspection Program; Providing a Repealer; Providing a Severability Clause; Providing a Penalty; Providing an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Tierney and seconded by Deputy Mayor Pro Tem Thornhill, the Council voted three (3) “ayes” and two (2) “nays,” with Councilman Watts and Councilman Durham casting the negative votes to approve and adopt an ordinance amending the Lewisville City Code, Article VI, Chapter 4 by establishing new Residential Rental Inspection Program. The motion carried.

City Attorney Ron Neiman advised that due to the City Council approving the Ordinance on a 3-2 vote, it would have to come back for two additional readings.

**Consideration of Ordinance No. 3533-01-
2008 Restricting Where Certain Convicted
Sex Offenders can Reside**

(Agenda Item F-14)

State laws restrict where convicted sex offenders can live and specifically states that they may not “go in, on, or within 1,000 feet of a premises where children commonly gather, including a school, day-care facility, playground, public or private youth center, public swimming pool, or video arcade facility”. State law does not restrict sex offender residency once the offender’s sentence and/or probation has expired. Many cities in Texas have passed ordinances that would have the affect of extending the State's sex offender residency restrictions beyond the period managed by the State. These ordinances vary in the distances and the classes of offender to which they apply.

The City staff’s recommendation was that the City Council consider the ordinance and exclusion zone distance.

Susan Davis-Duante, 256 E. Corporate #1201, Lewisville, Texas, advised that she had not understood what the ordinance contained; however, she now did and was in support of the proposed ordinance.

Bill Franz, 1913 Wild Horse Corral, Lewisville, Texas, spoke in opposition of this item. Mr. Franz clarified that the ordinance only applied to sex offenders who committed an offense against a child. City Attorney Ron Neiman advised that was correct. Mr. Franz reviewed a three tier system that the Federal Government was supposed to implement within the next year. Mr. Franz questioned if a registered sex offender resided within the residence restriction area, would they have to move if something was built within that area. City Attorney Ron Neiman advised it would only apply to what was in existence at the time they moved to that location. Mr. Franz then questioned if this law would extend beyond an offender’s sentence. City Attorney Ron Neiman advised that this law would only apply to the length of their required registration with the State. Discussion was held regarding the registration requirements.

Mayor Carey advised that the following individuals had filled out position cards indicating their support of the proposed ordinance:

John D. Gorena, 417 Creekwood Lane, Lewisville, Texas 75067
Francis Davis, 2197 S. Uecker, Lewisville, Texas 75067

Mayor Carey advised that he was in support of this proposed ordinance with a 1,500 foot distance requirement.

Councilman Watts advised he was in favor of the 1,500 feet based on what surrounding cities had selected. Councilman Watts stated that it would be nice if the State would pass something uniform; however, at this time this was the best thing to do for the citizens.

Mayor Pro Tem Ueckert advised he was in support of the 1,500 feet based on what the Police Department has recommended and what surrounding cities had selected.

Councilman Durham advised that he was opposed to this ordinance as he felt it was “feel good legislation.”

Deputy Mayor Pro Tem Thornhill stated that he supported the 1,500 feet based on area cities’ actions. He further stated that he did not feel this ordinance would prevent further offenses as he felt most of these offenses happen within the home and that only a small portion were offenses committed by a stranger.

Councilman Tierney stated that he agreed with Councilman Durham and Deputy Mayor Pro Tem Thornhill statements regarding legislation and who is committing the offenses. Councilman Tierney also addressed his concern about areas of the City that would not be covered by the distance restrictions. Councilman Tierney reviewed Chief Kerbow’s recommendation. Councilman Tierney advised based upon that information he would be in support of the 1,500 feet.

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 the Lewisville City Code by Adding a New Section Entitled “Regulation of Child Predator Offender Residency”; Prohibiting Certain Registered Sex Offenders From Residing Within 1,500 Feet of Premises Where Children Commonly Gather; Providing for the Measuring of Distance Requirements; Dispensing With a Culpable Mental State; Providing Affirmative Defenses; Providing a Penalty Clause; Providing a Repealer; Providing for Severability; Providing an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Tierney and seconded by Deputy Mayor Pro Tem Thornhill, the Council voted four (4) “ayes” and one (1) “nays,” with Councilman Durham casting the negative vote to approve and adopt **Ordinance No. 3533-01-2008**, as captioned previously. The motion carried.

Mr. Franz questioned if a person was on probation which distance requirement would apply. City Attorney Ron Neiman advised if they were on probation the 1,000 feet would apply. Mr. Franz questioned if they were currently within the 1,000 feet would they have to move. Mr. Neiman advised that they would not have to move; however, if they moved the distance requirement would apply.

**Consideration of the Addition of a Public
Safety Communications Manager Position.**

(Agenda Item F-15)

The Police Department had a civilian position in the mid 90's that supervised the 911 system, public safety dispatch operations, all city radio systems and associated technology. The position was converted to a lower level position after difficulty in recruitment at the then designated salary. Management recently conducted a review of dispatch operations and among the results was a recommendation that a civilian position with exclusive responsibilities for emergency communications management be restored. Because of the timeline for hiring, the costs of the position can be absorbed in the PD budget for the current fiscal year without a supplemental appropriation, but will need to be budgeted in FY 08-09.

The City staff's recommendation was that the City Council approve the addition of a Public Safety Communications Manager position.

MOTION: Upon a motion made by Councilman Durham and seconded by Councilman Watts, the Council voted five (5) "ayes" and no (0) "nays" to approve the addition of a Public Safety Communications Manager position. The motion carried.

Reports

(Agenda Item G)

- Mayor Carey reminded everyone that the Annual Retreat was coming up February 7 – 9, 2008 in Fort Worth.

There were no reports at this time.

Mayor Carey adjourned the regular session of the Lewisville City Council into Closed Session at 7:45 p.m. Monday, January 28, 2008, in accordance with the requirements of the Open Meetings Law.

Closed Session

(Agenda Item H)

In accordance with Texas Government Code, Subchapter D, Section 551.072 (REAL ESTATE), the Lewisville City Council convened into Closed Session at 7:45 p.m. on Monday, January 28, 2008, 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 9:30 p.m. on Monday, January 28, 2008.

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

(Agenda Item I)

Mayor Carey reconvened the Regular Session of the Lewisville City Council at 9:30 p.m. on Monday, January 28, 2008, 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 J)

MOTION: Upon a motion made by Councilman Watts and seconded by Councilman Durham, the Council voted five (5) "ayes" and no (0) "nays" to adjourn the Regular Session of the Lewisville City Council at 9:30 p.m. on Monday, January 28, 2008. The motion carried.

These minutes approved by the Lewisville City Council on the 18th day of February, 2008.

APPROVED

Gene Carey
MAYOR

ATTEST:

**LEWISVILLE CITY COUNCIL
REGULAR SESSION
JANUARY 28, 2008**

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Julie Heinze, CITY SECRETARY