

**LEWISVILLE CITY COUNCIL**

**REGULAR SESSION**

**OCTOBER 6, 2008**

**Present:**

Gene Carey, Mayor

**Council Members:**

David Thornhill, Mayor Pro Tem  
Lathan Watts, Deputy Mayor Pro Tem  
Greg Tierney  
Dean Ueckert  
Rudy Durham (arrived at 5:36 p.m.)

**City Staff:**

Claude King, City Manager - Absent  
Steve Bacchus, Assistant City Manager  
Donna Barron, 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 Closed Session of the Lewisville City Council was called to order by Mayor Carey at 5:30 p.m. on Monday, October 6, 2008, in the City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas, in accordance with the requirements of the Open Meetings Law.

**Closed Session**

**(Agenda Item A)**

In accordance with Texas Government Code, Subchapter D, Section 551.087 (Economic Development), the Lewisville City Council convened into Closed Session at 5:30 p.m. on Monday, October 6, 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: Deliberation Regarding Economic Development for a Potential Company Relocation.

The Closed Session was adjourned at 6:10 p.m. on Monday, October 6, 2008.

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

Mayor Carey reconvened the Workshop Session of the Lewisville City Council at 6:10 p.m. on Monday, October 6, 2008, in the Council Conference Room 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.

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, October 6, 2008, in the City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas. All department heads were present.

**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, Proclamations, 1) Declaring October 25, 2008, as “Keep Lewisville Beautiful Day”; and 2) Declaring Special Recognition to “Circle of Friends”. There was no discussion on these items.

Mayor Carey reviewed Agenda Item D, Presentation, D, Presentation of Achievement of Excellence in Procurement Award. 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 Single-Family Residential (R7.5) to Old Town Mixed Use Two (OTMU2) on a Tract of Land Totaling 0.21 Acres Located at 367 Elm Street; and Identified as Lot 11, Block D of the Degan Addition; as Requested by the Property Owners, Luane and Joseph Williams (Case No. 20080820). There was no discussion on this item.

**WORKSHOP SESSION – 6:30 P.M.**

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

**(Agenda Item B)**

Mayor Carey reviewed Agenda Item E-2, Public Hearing: Consideration of an Ordinance Establishing Reinvestment Zone Number Thirty-Four (34) for Vinson Process Controls, Being a 4.87 Acre Tract, Situated in the R.H. Thompson, Survey Abstract No. 1274, Denton County, Texas; Said Tract Being Part of Lot 2R, Block C, Highpoint Oaks Addition; Consideration of a Resolution Providing the Terms and Conditions of a Tax Abatement Agreement by and Between the City of Lewisville, Texas, and Vinson Process Controls; and Authorization for the City Manager, or his Designee, to Execute the Agreement. Assistant City Manager Steve Bacchus advised that the administration comments should have shown the abatement to be 100% not 50%, and that on page twelve of the Tax Abatement Agreement, it should have been listed as Reinvestment Zone 34. There was no further discussion on this item.

Mayor Carey reviewed Agenda Item E-3, Public Hearing: Consideration of Designating a Continuous Geographic Area of Approximately 427 Acres Located at the Northeast Corner of Interstate 35 and State Highway 121 Within the City of Lewisville as Tax Increment Reinvestment Zone, Number Two, for Tax Increment Financing Purposes, Pursuant to Chapter 311 of the Texas Tax Code. 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-4, Approval of Minutes: a) City Council Minutes of the September 8, 2008 Workshop and Regular Session; b) City Council Minutes of the September 15, 2008, Workshop Session and Regular Session; and c).City Council Minutes of the September 29, 2008, Called-Special Session. There was no discussion on this item.

Mayor Carey reviewed Agenda Item G-5, Approval of a Bid Award for the Valley Ridge Southeast Water Lines, Line A Project to W. R. Hodgson Co., L.P., Celina, Texas, in the Amount of \$1,534,076.85; and Authorization for the City Manager, or his Designee, to Execute the Contract. There was no discussion on this item.

Mayor Carey reviewed Agenda Item G-6, Approval of a Bid Award for the Elm Fork Sanitary Sewer Phase IB Project to Patco Utilities, Inc., Grand Prairie, Texas, in the Amount of \$316,788.45; and Authorization for the City Manager, or his Designee, to Execute the Contract. There was no discussion on this item.

**WORKSHOP SESSION – 6:30 P.M.**

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

**(Agenda Item B)**

Mayor Carey reviewed Agenda Item G-7, 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, or his Designee, to Execute the Contract. There was no discussion on this item.

Mayor Carey reviewed Agenda Item G-8, Approval of a Resolution Authorizing 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 2008-2009; and Authorization for City Officials to Execute the Agreements. There was no discussion on this item.

Mayor Carey reviewed Agenda Item G-9, Approval of a Resolution for the Acceptance of a \$213,349.57 Grant From the Texas Department of Transportation for the Traffic Safety Program; and Authorization for the City Manager or his Designee to Execute the Grant Agreement. There was no discussion on this item.

Mayor Carey reviewed Agenda Item G-10, Approval of a Resolution Approving the Acquisition of Certain Property in the City by the Denton County Transportation Authority Through the Right of Eminent Domain. There was no discussion on this item.

Mayor Carey reviewed Agenda Item H-11, Consideration of a Request for a Variance to the Lewisville City Code to Allow Grading, Including Tree Removal on a 35-Acre Site South and East of the Intersection of Midway Road and Holford's Prairie Road Prior to Engineering Site Plan Approval, as Requested by Steve Homeyer, P.E., on Behalf of the Property Owner. There was no discussion on this item.

Mayor Carey reviewed Agenda Item H-12, Consideration of a Request for a Variance to the Lewisville City Code, Section 11-14(C), Prohibited Signs, Regarding an Off-Premise Sign to be Located at the Corner of Highway 121 and Leora Lane Requested by Mockingbird Management on Behalf of Lakeside at 121 Apartments. Building Official Cleave Joiner reviewed this agenda item with the City Council. There was no further discussion regarding 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 H-13, Consideration of a Request for a Variance to the Lewisville City Code, Relating to Chapter 6, Screening Devices Associated With the Proposed Opus Building Located on the North Side of S.H. 121 Frontage Road, Between East Hill Park Road and Leora Lane as Requested by the Developer. There was no discussion on this item.

Mayor Carey reviewed Agenda Item H-14, Consideration of a Request for a Variance to the Lewisville City Code, Section 60-54(B), When an Engineering Site Plan is Required For a Proposed Retail Facility Located at 1844 North Stemmons Freeway, As Requested By Moh Yasin, the Owner. There was no discussion on this item.

Mayor Carey reviewed Agenda Item H-15, Tabled Item: Discussion of Policy Related to Translations of City Publications and Communications (Requested by Deputy Mayor Pro Tem Watts). Assistant City Manager Donna Barron reviewed the revised list of documents and advised that the original list had been missing the explanation of the asterisk. She further explained that two documents had been added to this list that were received from a third party printing source. Ms. Barron then reviewed the chart regarding how much was spent during FY 07/08 in translation costs. She explained that she had added a figure of \$79.04 as a worst case scenario to the actual costs. Ms. Barron further explained that some documents, such as application forms actually incurred no cost as they would have had to be given in English if the Spanish version had not been available. There was no further discussion on this item.

Mayor Carey reviewed Agenda Item H-16, Consideration of a Resolution Establishing English as the Official Language of the City of Lewisville (Requested by Deputy Mayor Pro Tem Watts). There was no discussion on this item.

Mayor Carey reviewed Agenda Item H-17, Consideration of Lewisville City Code, Chapter 7, Article XVIII, Regulating the Drilling and Production of Oil and Gas Wells Within the City of Lewisville (Requested by Deputy Mayor Pro Tem Watts). There was no discussion on this item.

Mayor Carey reviewed Agenda Item H-18, Consideration of Dates for the Annual City Council Retreat. There was no discussion on this item.

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

**WORKSHOP SESSION – 6:30 P.M.**

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

**(Agenda Item B)**

Mayor Carey reviewed Agenda Item J-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 6:38 p.m. on Monday, October 6, 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, October 6, 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, Mayor Pro Tem Thornhill gave the invocation.

**Pledge to the Flag**

**(Agenda Item B)**

At the request of Mayor Carey, Wolves of Cub Scout Pack 66 gave the pledge to the flag. The following members were present: Kent Loney, Joseph Loney, James Loney, Garrison Ware, Hoard Russell, Zachery Haythorn, Michael Guiterez, Ian Austin, and Nicholas Luthe.

**Proclamation: Declaring October 25, 2008, as  
“Keep Lewisville Beautiful Day”**

**(Agenda Item C-1)**

Mayor Carey read and presented a proclamation declaring October 25, 2008, as “Keep Lewisville Beautiful Day” to members of Keep Lewisville Beautiful.

**PRESENTATION: Presentation of Achievement  
of Excellence in Procurement Award**

**(Agenda Item D)**

Mayor Carey read and presented an Achievement of Excellence in Procurement Award to City of Lewisville Purchasing Manager Todd White.

**Proclamation: Declaring Special Recognition  
to “Circle of Friends”**

**(Agenda Item C-2)**

Mayor Carey read and presented a proclamation declaring special recognition to “Circle of Friends” to Kay Sutton, Spud Newton and Morris Salerno. A video was also shown regarding the Circle of Friends Gala held in March of 2008.

**Public Hearing: Consideration of Ordinance  
No. 3610-10-2008(Z) for a Zone Change  
Request From Single-Family Residential  
(R7.5) to Old Town Mixed Use Two (OTMU2)  
on a Tract of Land Totaling 0.21 Acres  
Located at 367 Elm Street; and Identified as  
Lot 11, Block D of the Degan Addition; as  
Requested by the Property Owners, Luane  
and Joseph Williams (Case No. 20080820)**

**(Agenda Item E-1)**

The proposed zoning classification Old Town Mixed Use Two (OTMU2) is in keeping with the recommendations of the Old Town Master Plan. The tract is currently occupied by a single-family residence. The applicant wishes to re-zone for future flexibility of setbacks to construct an attached garage. 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, 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 September 2, 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 was present to respond to any questions posed by the City Council.

**MOTION:** Upon a motion made by Mayor Pro Tem Thornhill and seconded by Councilman Durham, 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 0.21 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 Tierney, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 3610-10-2008(Z)**, as previously captioned. The motion carried.

**Public Hearing: Consideration of Ordinance No. 3611-10-2008 Establishing Reinvestment Zone Number Thirty-Four (34) for Vinson Process Controls, Being a 4.87 Acre Tract, Situated in the R.H. Thompson, Survey Abstract No. 1274, Denton County, Texas; Said Tract Being Part of Lot 2R, Block C, Highpoint Oaks Addition; Consideration of Resolution No. 3612-10-2008(R) Providing the Terms and Conditions of a Tax Abatement Agreement by and Between the City of Lewisville, Texas, and Vinson Process Controls; and Authorization for the City Manager, or his Designee, to Execute the Agreement**

(Agenda Item E-2 )

Vinson Process Controls, a valve, regulator, and computer control manufacturer, is proposing building a 60,065 s.f. manufacturing facility in Highpoint Oaks, bringing 78 employees with an average salary of \$88,461.54 and \$4,750,000 in investment in real property. Given the economic indicators provided, it was determined that the prospect may be granted an abatement of one hundred percent (100%) of real and business personal property taxes for a period of five years, provided that the company construct and occupy a minimum of 60,065 square feet of manufacturing facility, maintain a minimum of 78 employees at a payroll of \$6,900,000, invest a minimum of \$4,750,000 in real personal property, and provide a community support donation in the amount of \$5,000 dollars per year.

The City staff's recommendation was that the City Council approve the ordinance establishing Reinvestment Zone Number Thirty-Four (34); approve the resolution providing the terms and conditions of a tax abatement agreement by and between the City of Lewisville, Texas, and Vinson Process Controls; and Authorize the City Manager, or his designee, to execute the agreement.

Mayor Carey opened the public hearing.

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Watts and seconded by Councilman Ueckert, 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, Designating a Certain Area Within the City of Lewisville as Reinvestment Zone No. 34 for a Tax Abatement for Vinson Process Controls; Establishing the Boundaries of Such Zone; Providing for Other Matters Relating Thereto; Providing for Severability; Providing a Repealer; and Declaring an Emergency."

**MOTION:** Upon a motion made by Councilman Ueckert and seconded by Councilman Tierney, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt **Ordinance No. 3611-10-2008**, as previously captioned, and approve **Resolution No. 3612-10-2008(R)** providing the terms and conditions of a tax abatement agreement between the City of Lewisville, Texas and Vinson Process Controls. The motion carried.

**Public Hearing: Consideration of Designating a Continuous Geographic Area of Approximately 427 Acres Located at the Northeast Corner of Interstate 35 and State Highway 121 Within the City of Lewisville as Tax Increment Reinvestment Zone, Number Two, for Tax Increment Financing Purposes, Pursuant to Chapter 311 of the Texas Tax Code**

(Agenda Item E-3)

Councilman Ueckert 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 had been filled out and filed with the City Secretary. Councilman Ueckert moved away from the dais.

Prior to the creation of a Tax Increment Reinvestment Zone (TIRZ), Chapter 311 of the Texas Tax Code requires preparation of a Preliminary Project Plan and Reinvestment Zone Financing Plan and for the City to hold a public hearing and receive comments on the creation of the zone. The City of Lewisville (TIRZ) #2 is proposed to help pay for infrastructure costs to facilitate a mixed use project know as Hebron/121 Station. The project is comprised of approximately 1,750 multi-family units, 736,000 sq. ft of mixed use commercial development and 149 acres of parkland/open space area. The developer is requesting that the City and Denton County participate in the district at 80% of the property tax revenue on the new increment. The developer is also proposing to front the majority of the costs to build the infrastructure and receive reimbursement when tax increment revenue is generated by the project.

The City staff's recommendation was that the City Council conduct the public hearing and receive input on the creation of Tax Increment Reinvestment Zone Two for the City of Lewisville. No additional action is necessary at this time.

Mayor Carey opened the public hearing.

Nika Reinecke, Economic Development Director and Howard Ponteus, 8200 Douglas Avenue, Dallas, Texas 75225, were both present to respond to any questions posed by the City Council.

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

Councilman Ueckert returned to his place on the dais.

**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 Tierney and seconded by Deputy Mayor Pro Tem 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:

4. APPROVAL OF MINUTES:
  - a. City Council Minutes of the September 8, 2008 Workshop and Regular Session;
  - b. City Council Minutes of the September 15, 2008, Workshop Session and Regular Session; and
  - c. City Council Minutes of the September 29, 2008, Called-Special Session.
5. Approval of a Bid Award for the Valley Ridge Southeast Water Lines, Line A Project to W. R. Hodgson Co., L.P., Celina, Texas, in the Amount of \$1,534,076.85; and Authorization for the City Manager, or his Designee, to Execute the Contract.
6. Approval of a Bid Award for the Elm Fork Sanitary Sewer Phase IB Project to Patco Utilities, Inc., Grand Prairie, Texas, in the Amount of \$316,788.45; and Authorization for the City Manager, or his Designee, to Execute the Contract.
7. 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, or his Designee, to Execute the Contract.
8. Approval of **Resolution No. 3613-10-2008(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 2008-2009.
9. Approval of **Resolution No. 3614-10-2008(R)**: A Resolution of the City Council of the City of Lewisville, Texas, to Approve the Texas Department of Transportation Grant Agreements for the Selective Traffic Enforcement Program; and Authorizing the City Manager or his Designee to Execute the Agreement.

10. Approval of **Resolution No. 3615-10-2008(R)**: A Resolution of the City Council of the City of Lewisville, Texas, Approving the Acquisition of Certain Property in the City by the Denton County Transportation Authority Through the Right of Eminent Domain.

The motion carried.

**END OF CONSENT AGENDA**

**Consideration of a Request for a Variance to the Lewisville City Code to Allow Grading, Including Tree Removal on a 35-Acre Site South and East of the Intersection of Midway Road and Holford's Prairie Road Prior to Engineering Site Plan Approval, as Requested by Steve Homeyer, P.E., on Behalf of the Property Owner**

---

**(Agenda Item H-11)**

The 35.23 acre property, a former dump site, is located near the southeast corner of Midway Road and Holford's Prairie Road in East Lewisville and is zoned Light Industrial (LI). The owner has a permit to perform excavation in an effort to remove undesirable materials from the site and to stockpile soil. The owner wishes to continue site grading in an effort to make the site more marketable for future development and submitted a "Phase 2" grading plan for review which includes the removal of two American Elm Trees and seventeen Cottonwood Trees, neither of which are protected species. The developer has applied for a variance to allow continued grading of the property and removal of trees without an approved engineering site plan. No grading or filling has been proposed in the floodplain. There have not been any development proposals submitted for the site.

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

David Salmon, P.E., Assistant City Engineer and Steve Homeyer P.E., Homeyer Engineering, Inc., were both present to respond to any questions posed by the City Council.

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Watts and seconded by Mayor Pro Tem Thornhill, the Council voted five (5) “ayes” and no (0) “nays” to approve a variance to the Lewisville City Code to Allow Grading, Including Tree Removal on a 35-Acre Site South and East of the Intersection of Midway Road and Holford’s Prairie Road Prior to Engineering Site Plan Approval, as requested by Steve Homeyer, P.E., on behalf of the property owner, to allow continued grading of the property and removal of trees without an approved engineering site plan. The motion carried.

**Consideration of a Request for a Variance to the Lewisville City Code, Section 11-14(C), Prohibited Signs, Regarding an Off-Premise Sign to be Located at the Corner of Highway 121 and Leora Lane Requested by Mockingbird Management on Behalf of Lakeside at 121 Apartments**

---

**(Agenda Item H-12)**

An off-premise sign measuring 64 sf (8’ x 8’) and 15 feet in height is being proposed at Highway 121 and Leora Lane, to be located 20 feet back from the curb approximately 300 feet north of Leora Lane. Due to the location of the Lakeside at 121 Apartments, it has been necessary to hire someone to stand alongside the roadway, holding signs to advertise the availability of the apartments for lease. An off-premise sign would alleviate this need and increase safety by notifying passersby of the upcoming turn into the complex. Lakeside at 121 Apartments has an agreement with Lakepointe Marina at 121, GP, LLC to allow this off-premise sign to be placed on their property. Staff has no objection to this proposal and requests that the City Council consider the requested variance, but place a two-year time limit thereon.

The City staff’s recommendation was that the City Council consider the requested variance with a limit of two years.

Cleve Joiner, Building Official and Jeanette Moore, Mockingbird Management were both present to respond to any questions posed by the City Council.

**MOTION:** Upon a motion made by Mayor Pro Tem Thornhill and seconded by Councilman Tierney, the Council voted five (5) “ayes” and no (0) “nays” to approve the variance request to the Lewisville City Code, Section 11-14(C), Prohibited Signs, Regarding an Off-Premise Sign to be located at the corner of Highway 121 and Leora Lane as requested by Mockingbird Management on behalf of Lakeside at 121 Apartments, for a two year time period. The motion carried.

**Consideration of a Request for a Variance to the Lewisville City Code, Relating to Chapter 6, Screening Devices Associated With the Proposed Opus Building Located on the North Side of S.H. 121 Frontage Road, Between East Hill Park Road and Leora Lane as Requested by the Developer**

**(Agenda Item H-13 )**

The property is partially developed including a 490,000 square foot building built in 2003. The developer is proposing an addition of 461,000 square feet to this building. The variance relates to the screening requirement along the northern property line between the apartments and this site. The ordinance requires that an 8-foot masonry screening wall separate the two properties, namely to provide a visual barrier for the residents. The developers are requesting that the screening wall be waived based on a variety of factors.

The City staff's recommendation was that the City Council approve the screening wall variance request.

Gene Lewis, Planning and Community Services Manager and Dewey Daniels, P.E., Project Manager, JBI Partners, 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 Tierney, the Council voted five (5) "ayes" and no (0) "nays" to approve a variance to the Lewisville City Code, Relating to Chapter 6, Screening Devices Associated with the proposed Opus Building located on the North Side of S.H. 121 Frontage Road between East Hill Park Road and Leora Lane as requested by the developer to waive the screening wall. The motion carried.

**Consideration of a Request for a Variance to the Lewisville City Code, Section 60-54(B), When An Engineering Site Plan is Required For a Proposed Retail Facility Located at 1844 North Stemmons Freeway, As Requested By Moh Yasin, the Owner**

**(Agenda Item H-14 )**

Mr. Moh Yasin is proposing a flooring store utilizing the vacant gas station building and site. The General Development Ordinance Section 60-54(b) requires that, if the use or operation of the structure or property ceases or becomes vacant for a period of twelve (12) months or more, an engineering site plan must be submitted. A variance is being requested to waive the requirement to submit a full submission of a new engineering site plan and allow the use of the

1997 submitted site plan including the variances approved by council on June 2, 1997. Staff has no objection to this proposal and requests that the City Council consider the requested variance.

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

Cleve Joiner, Building Official and Mr. Moh Yasin were both present to respond to any questions posed by the City Council.

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Watts and seconded by Mayor Pro Tem Thornhill, the Council voted five (5) "ayes" and no (0) "nays" to approve a variance to the Lewisville City Code, Section 60-54(B), When an Engineering Site Plan is Required for a Proposed Retail Facility Located at 1844 North Stemmons Freeway, as requested by Moh Yasin, the owner, to waive the requirement to submit a full submission of a new engineering site plan and allow the use of the 1997 submitted site plan including the variances approved by Council on June 2, 1997. The motion carried.

**Tabled Item: Discussion of Policy Related to  
Translations of City Publications and  
Communications (Requested by Deputy  
Mayor Pro Tem Watts)**

**(Agenda Item H-15 )**

The City does not currently have a policy that would guide staff regarding which of its many publications and communications should be translated into other languages. Decisions about translations are generally made by the various departments with City Manager review unless they are required by some other law (for example, ballot language, disabled persons, etc.). A formal policy could provide direction to staff on when translations should be performed. This item was tabled at the August 18, 2008, City Council meeting.

The City staff's recommendation was that the City Council provide direction to staff.

Mayor Carey advised that at the August 18, 2008, City Council meeting he had advised he would get with the City Manager and following that discussion it was his opinion that felt the City was currently doing what needed to be done. Mayor Carey requested that everyone requesting to speak on this item stick with the item's topic and not discuss illegal immigration or the day worker site. He reminded everyone that this item was regarding the policy related to translations of City publications.

The following individuals spoke before the City Council:

Nola Hamlin, 857 Meadowlark Drive, Lewisville, Texas, 75067, spoke in support of translating documents, regardless if it had to raise her taxes.

John Gorena, 417 Creekwood Lane, Lewisville, Texas, 75067, spoke before the City Council in opposition to translating documents beyond what is mandated by law. Councilman Tierney questioned Mr. Gorena if he opposed translation of any City document other than what was required by law, such as items that promote health and safety. Mr. Gorena indicated that he would have to know the reason why something needed translated before he could answer.

Patricia Stone, 1363 West Purnell, Lewisville, Texas 75057, spoke against translating documents into Spanish. She advised she wanted the language of English to be the official language of the City of Lewisville.

Renato delos Santos, 1531 Duncanville Road, #223, Dallas, Texas, speaking on behalf of the League of United Latin American Citizens (LULAC), advised they were in opposition of not translating documents into Spanish. Mr. delos Santos reviewed LULAC programs with the City Council.

Mia Singleton, 1309 Carnation, Lewisville, Texas, spoke in support not translating documents into Spanish, except when required by law.

Benita Fitzgerald, 341 West Purnell Street, Lewisville, Texas 75057, advised she was opposed to any documents being translated into Spanish, unless required by law.

Susan Davis-Duarte, 256 East Corporate Drive, #1201, Lewisville, Texas, spoke in support of documents being translated into Spanish if required by law or for health and safety reasons only. Ms. Davis-Duarte advised she was opposed to any other documents being translated.

Leonard Myers, 1409 Marblehead, Lewisville, Texas, spoke in support of translating documents that we are required to by law; however, he was opposed to any other documents being translated.

Linda Fogle, 1618 High Pointe Drive, Lewisville, Texas advised that if documents are not translated into Spanish, the reality is, if an individual comes into City Hall and asks for someone who speaks Spanish, a City employee is going to have to take the time to assist them rather than hand them a form in Spanish. Ms. Fogle advised she was opposed to not allowing documents to be translated or making English the official language of the City of Lewisville.

Marco Nelson Suarez, 1811 Water Oak, Lewisville, Texas 75067, advised he was opposed to an Ordinance that did not allow for translation. Mr. Suarez advised that he is

concerned this will create a safety issue. He further stated that he believes that English needs to be the language of the country; however, sometimes people do not have time to assimilate and learn the language. Mr. Suarez encouraged the City Council to spend money to help people who need, and want to learn English.

Mayor Carey reviewed the following position cards that had been submitted if documents should be translated into Spanish:

- Chole Crow, 201 East Round Grove, Lewisville, Texas – opposed
- Frances Davis, 2197 South Uecker Lane, #711, Lewisville, Texas – opposed
- Demi Crow, 201 East Round Grove, #1222, Lewisville, Texas – opposed
- Ralph Fitzgerald, 341 West Purnell Street, Lewisville, Texas – opposed (only those required by law)
- Maria Gorena, 417 Creekwood Lane, Lewisville, Texas – opposed
- Douglas Kirksey, 1341 Mustang Drive, Lewisville, Texas – opposed
- Kelton Fuller, 201 East Round Grove Road, #221, Lewisville, Texas – opposed
- David McLaughlin, 1613 North Valley Parkway, Lewisville, Texas - opposed

At the request of Mayor Carey, Assistant City Manager Steve Bacchus and Assistant City Manager Donna Barron both reviewed the items that were required to be translated and those that were translated for health and safety reasons. Ms. Barron referred the City Council to the document that reviewed the various documents and the associated costs. She pointed out that the costs for translation documents during FY 2007/2008 was \$475.60. Ms. Barron further pointed out that some of the documents translated were application forms that would have had to have been given out in English if they had not been in Spanish.

Deputy Mayor Pro Tem Watts explained that he had originally put this item on the agenda after being approached by several citizens regarding the City's policy on translating documents and he had found out there was not a set policy in place, and it was more of a case by case basis. Deputy Mayor Pro Tem Watts advised that he had also requested Item 16 be included on the agenda in order to give a clear direction to the staff on the issue whether a policy should be made. Deputy Mayor Pro Tem Watts stated that the proposed resolution was not an all or nothing, nor does it put the City at odds with what is required by State or Federal law, nor would it involve the City in a law suit. He explained that the language would basically confirm what the City is already doing, and while the budget impact is not that big, as more people from various cultures move into Lewisville and if we translate for one we should translate for all, then the budget impact could grow and it behooves us to have a policy in place to deal with the situation.

Councilman Ueckert advised that following the August 18<sup>th</sup> meeting he had also discussed this topic at length with the City Manager and staff and he had been assured that there

had been no problems and the current process was running very smoothly. Councilman Ueckert reviewed the current policy that translations are generally made by the various Departments with City Manager review, with the exception of items required by law. He stated that City staff's goal was to minimize costs and at the same time do what is essential to communicate with citizens in the best interest of all citizens. Councilman Ueckert reviewed items that were beneficial to be posted in English and Spanish, such as a sign to not pour grease, etc., due to Federal laws regarding sewer contamination. Councilman Ueckert then reviewed the 23 items that are currently either being printed by the City that are not required by law, or are processed by a third party. Councilman Ueckert advised that the reasoning behind most of these items is for health and safety issues, or to not require a translator to be present, prevent litigation, to be able to prosecute successfully, and save money by ensuring park attendees understand the rules. Councilman Ueckert pointed out that most of the City's records are not translated and reviewed the various departments that could be translating all their documents, which would cost thousands; however, the City has determined to only translate these few documents at a cost of \$475.60. Councilman Ueckert expressed concern when the City Council tries to step in and micromanage a great system, they can cause more problems than solutions to the big picture for what is really good for the citizens of Lewisville. Councilman Ueckert stated that he was comfortable recommending that the decisions about translations be made by the Departments and reviewed by the City Manager and continue their main goal to minimize cost while doing what is essential to communicate with the citizens in their best interest.

Oscar Ferrario, advised that he was for the making English the official language in order to give people an incentive to learn the language. He questioned if the City Council was doing this to test the waters to see how people will react to these types of issues. Mayor Carey advised that was not the case. Mr. Ferrario pointed out that what Farmers Branch had done was a waste of money.

Councilman Durham stated that his position had not changed and he was still opposed to this and he would be voting to keep procedure that we have in place.

Mayor Pro Tem Thornhill advised that it was amazing what \$475.60 will do and that probably more money was spent pulling the information together that Councilman Ueckert had reviewed. Mayor Pro Tem Thornhill pointed out that seven (7) of the documents are required by law and there was nothing the City Council could do about those, seventeen (17) are being translated by the State or County and he encouraged anyone with an issue to contact those agencies if they had an issue, and that the remainder are all geared around public safety and health issues. Mayor Pro Tem Thornhill recommend that the City Council allow City staff to continue status quo and keep watching the taxpayers' dollars and make good decisions.

Councilman Tierney thanked Deputy Mayor Pro Tem Watts for bringing this topic up as he felt it was something that needed to be looked at from a policy standpoint to ensure how the

City is handling this in the most effective and cost effective way. Councilman Tierney stated that he had talked with the City Manager and that he had assured him that he was comfortable with the way it is being done. Councilman Tierney also thanked Councilman Ueckert for going over the entire list that has been approved by the City Manager that shows the documents that are being translated deal with public health and safety. Councilman Tierney stated that he felt the City Council should continue with how it is being handled. Councilman Tierney acknowledged that if more nationalities move into the City, this topic may need to be looked at again.

Mayor Carey stated that he has confidence that City Manager Claude King can do what needs to be done along with the rest of City staff.

Deputy Mayor Pro Tem Watts advised he wanted to reiterate that on Item 16 that all the items that Councilman Ueckert had reviewed will fit into the exceptions that are in the resolution. He stated that Item 16 would just confirm what the City of Lewisville is currently doing. Deputy Mayor Pro Tem Watts stated that the City of Lewisville has a great City staff.

John Gorena spoke before the City Council and advised that they are the elected officials and by procedures the citizens let them know what they want them to do. He implored them to not listen to the rhetoric that had been said tonight, but wanted to leave it up to the immigrants to do what is required to be a United States citizen. He stated that that if someone from one of the racial divided organizations wants to pay for the translations, then let them. He further stated that the majority of citizens want the City Council to do certain things and they were the elected officials and the citizens can do something about that.

**MOTION:** Upon a motion made by Councilman Tierney and seconded by Councilman Durham, the Council voted five (5) “ayes” and no (0) “nays” continue with the current policy of having the City Manager approve translated documents. The motion carried.

**Consideration of Resolution No. 3616-10-2008(R) Establishing English as the Official Language of the City of Lewisville (Requested by Deputy Mayor Pro Tem Watts)**

---

**(Agenda Item H-16)**

Councilman Lathan Watts prepared a resolution establishing English as the official language of the City of Lewisville. The resolution is submitted to City Council for consideration as requested by Councilman Watts.

The City staff’s recommendation was that the City Council consider a resolution establishing English as the official language of the City of Lewisville.

Mayor Carey pointed out that the United States did not have an official language. He further pointed out that the 8<sup>th</sup> President of the United States Martin Van Buren's first language was Dutch and his second was English.

Renato delos Santos, 1531 Duncanville Road, #224, Dallas, Texas 75211, with the League of United Latin American Citizens (LULAC), spoke in opposition of making English the official language.

Susan Davis-Duarte, 256 East Corporate Drive, #1201, Lewisville, Texas spoke in support of making English the official language.

Gary Moore, 706 Mockingbird Drive, Lewisville, Texas 75067, spoke in support of the resolution making English the official language.

Mark Donley, 1138 Pebble Brook, Lewisville, Texas 75067, spoke in support for making English the official language in the City of Lewisville.

Robert Heath French, 1507 Michal, Denton, Texas 76205, spoke in opposition of making English the official language. Mr. French also submitted a petition opposing a resolution making English the official language.

Mercedes Bustos, 1609 Century Oaks Drive, Lewisville, Texas, 75077, spoke in opposition of making English the official language for health and safety reasons.

Nola Hamlin, 857 Meadowlark Drive, Lewisville, Texas 75067, advised she was opposed to even the suggestion that the City of Lewisville would consider making English the official language.

Benita Fitzgerald, 341 West Purnell Street, Lewisville, Texas 75057, spoke in support of making English the official language of the City of Lewisville.

Steve Southwell, 995 Downey Drive, Lewisville, Texas 75067, advised he was opposed to ordinance because he felt it was government's attempt to change reality. Mr. Southwell advised is the Federal government's responsibility.

(Councilman Durham left the dais at 8:55 p.m.)

Todd Genuit, 1516 Carnation, Lewisville, Texas 75067, spoke in support of making English the official language in the City of Lewisville.

(Councilman Durham returned to the dais at 8:56 p.m.)

Marc Behnke, 122 Campbell, Lewisville, Texas 75057, spoke in opposition to making English the official language of the City of Lewisville.

Francisco Lopez, 1441 Kingston Drive, Lewisville, Texas 75067, LHS Latino Club and Student Council Member, spoke in opposition of making English the official language of the City of Lewisville.

Humerto Arriaga, 1312 Parma Drive, Lewisville, Texas 75029, spoke in opposition of the resolution because he felt it was redundant and unnecessary.

John Gorena, 417 Creekwood Lane, Lewisville, Texas 75067, spoke in support of making English the official language.

Mayor Duane E. Olson, 1020 Emerald Sound, Oak Point, Texas 75067, spoke before the City in opposition of making English the official language. Mayor Olson advised that if Oak Point would have had the common sense to hold such a meeting prior to passing a similar resolution, they would be in much better shape. Mayor Olson advised that the resolution which was passed a little over a year ago had created nothing but disharmony in their City. He pointed out that it did not change the way their City was run, nor did it save any money or help them become more efficient. Mayor Olson concluded by stating that this is a national problem, not a city problem, and it is not up to the city to cause diversion for its residents

Mayor Carey advised that the following individuals had submitted position cards regarding passing the resolution making English the official language:

- Ginny Marshall, 1655 Juniper Lane, Lewisville, Texas 75077 – opposed
- Pamela Creed Diaz, 508 Village Drive, Lewisville, Texas 75067 – opposed
- Isidro Diaz, 508 Village Drive, Lewisville, Texas 75067 – opposed
- Sonin Guardado, 117 Redwood Place, Lewisville, Texas 75067 – opposed
- Melinda Jemison, 1315 Cedar Ridge, Lewisville, Texas 75067 – opposed
- Chloe Crow, 201 East Round Grove Road, #1222, Lewisville, Texas – support
- Demi Crow, 201 East Round Grove Road, #1222, Lewisville, Texas – support
- Cheryl Grisham, 1727 Shufords Court, Lewisville, Texas 75067- support
- Frances Davis, 2197 South Uecker Lane, #711, Lewisville, Texas 75067 – support
- Ralph Fitzgerald, 341 West Purnell Street, Lewisville, Texas 75057 – support
- Christin Hanna, 946 Sylvan Circle Drive, Lewisville, Texas 75067 – support
- Patrick Genuit, 939 Sylvan Creek, Lewisville, Texas 75067 – support
- Abigail Day, 2241 North Mill Street, Lewisville, Texas 75057 – support
- Margaret Danial, 1214 Indian Paint, Lewisville, Texas 75067 – support

**LEWISVILLE CITY COUNCIL  
REGULAR SESSION  
OCTOBER 6, 2008**

**Page 22**

- Maria Gorena, 417 Creekwood Lane, Lewisville, Texas 75067 – support
- David McLaughlin, 1613 North Valley Parkway, Lewisville, Texas 75077 – support
- Douglas Kirksey, 1341 Mustang Drive, Lewisville, Texas 75067– support
- Anita Robles, 947 Boxwood Drive, Lewisville, Texas 75067- support
- Kelton Fuller, 201 East Round Grove Road, #221, Lewisville, Texas 75067 – support
- Charles Andrews, 1200 College Parkway, Lewisville, Texas – support
- Shirby James, 1405 Primrose Lane, Lewisville, Texas 75077 - support

Mayor Carey advised that the following individuals had sent e-mail regarding their position regarding passing the resolution making English the official language:

Patricia Smith, 420 Vista Trail Drive, Lewisville, Texas 75067 – opposed  
Mrs. Stanley Flores – opposed

Marco Nelson Suarez, 1811 Water Oak, Lewisville, Texas 75067, advised he agreed with everything that had been said as he truly believe that the United States should have an official language; however, he did not believe it was the responsibility of the City.

Mayor Carey questioned what advantage would it be for English to be the official language in the City of Lewisville. City Attorney Ron Neiman advised that it was strictly a policy issue.

Deputy Mayor Pro Tem Watts advised that he had put this item on the agenda in order to give the City Council a chance to vote on the policy in order to put the weight of the City Council behind it. He stated that he wished the Congress would pass something that would be uniform; however, he learned a long time ago if you wait for someone else to fix a problem you will wait a long time. Deputy Mayor Pro Tem Watts stated that the different backgrounds was what made America one of the greatest places on the face of the earth and whether or not the City Council made English the official language of the City of Lewisville, it is still the official language of opportunity, commerce, trade, and industry, and the key that unlocks doors. Deputy Mayor Pro Tem Watts stated that the proposed resolution would confirm the policy direction that the City Council made on Item 15, it would not create a language police, 9-1-1 will still help you if there is an item related to public welfare, safety and health it is covered by this resolution. Deputy Mayor Pro Tem Watts stated that he would rather stand for what he believed in than get reelected and compromise his principles.

Councilman Tierney questioned what operational changes would occur tomorrow should this resolution be passed. City Attorney Neiman advised from legal standpoint it is a policy that is adopted by the City Council. Assistant City Manager Steve Bacchus advised it would be based on the direction the City Council forwarded to City staff; however, he could not see any changes should the resolution be passed. Councilman Tierney pointed out that in order to start

seeing some accomplishment, a member of the City Council would have to propose an ordinance that declares English the official language, that the City no longer translates any documents that are not required by law, or allow employees to speak Spanish in any City building, or any other law that we want to tag onto this. He expressed concern that this will be getting the City of Lewisville set up for legal problems. City Attorney Ron Neiman, advised that was correct, if the City goes past the adoption of the policy that is where the potential for legal issues arise. Councilman Tierney pointed out that the City of Lewisville's legal expenses are consistently lower than any other city around because the Legal Department points the City Council in the right direction. Councilman Tierney stated he did not see this as being anything other than symbolic and did not feel it would have a tangible affect.

Mayor Pro Tem Thornhill stated that he agreed with Councilman Tierney and he felt passage of this would only cause the same trouble that Farmers Branch has experienced.

Councilman Durham advised that his positions has not changed, he is still not in agreement with this resolution.

Mayor Carey advised that this is a very controversial issue that he wished the Federal Government would do more. He pointed out that the more he studies this topic, he cannot see where it would be advantageous for the City Council to approve this resolution.

Deputy Mayor Pro Tem Watts made a motion to approve the proposed resolution. He requested that the City Council not let it die for a lack of a second. No second was made. Motion failed.

**MOTION:** Upon a motion made by Councilman Durham and seconded by Mayor Pro Tem Thornhill, the Council voted four (4) "ayes" and one (1) "nays" to not consider the proposed resolution. The motion carried.

**Consideration of Lewisville City Code,  
Chapter 7, Article XVIII, Regulating the  
Drilling and Production of Oil and Gas Wells  
Within the City of Lewisville (Requested by  
Deputy Mayor Pro Tem Watts)**

---

**(Agenda Item H-17)**

On September 8, 2008, Council adopted an ordinance amending guidelines and requirements related to the drilling and production of oil and gas wells within the City. Deputy Mayor Pro Tem Watts has requested that the changes amending Lewisville City Code, Chapter 7, Article XVIII by the passage of Ordinance No. 3601-09-2008 be reviewed.

The City staff's recommendation was that the City Council consider Lewisville City Code, Chapter 7, Article XVIII regulating the drilling and production of oil and gas wells within the City.

Darrell Patterson, 1813 Water Oak, Lewisville, Texas advised he did not think the approved ordinance was strong enough and requested that it be enhanced, specifically in regard to the truck traffic on local streets.

Steve Southwell, 995 Downey Drive, Lewisville, Texas 75067, requested that the City Council review the noise portion of this ordinance and limit what decibel level is allowed at night, and if a complaint call is received, the Police Department can measure the level and issue a fine the first time and shut them down the next.

Leonard Myers, 1409 Marblehead Drive, Lewisville, Texas 75067, gave the City Council a handout regarding drilling. Mr. Myers reviewed drilling operations with the City Council and advised that the rigs are rented by the hour. Mr. Myers expressed concern that the approved ordinance will limit any companies wanting to drill within the City of Lewisville.

Deputy Mayor Pro Tem Watts reviewed the reasons that he had requested this item be tabled at the previous meeting. He advised that he felt it was in the best interest of the City and citizens if natural gas was gotten out of the ground as safely and responsibly as possible. Deputy Mayor Pro Tem Watts expressed concern that the ordinance will make it less likely that the bigger companies will do anything within the City of Lewisville and some wildcatter will come in and they will not be as safe. Deputy Mayor Pro Tem Watts requested that this ordinance have another chance to be considered and for City staff look over what we received from Chesapeake.

Mayor Carey acknowledged that he had spoken with City Manager King and more work will have to be done on this ordinance.

Discussion was held regarding if there was in fact less gas in the City of Lewisville. Assistant City Manager Steve Bacchus said that according to his knowledge that was not true.

Councilman Ueckert verified with City staff that all of the gas companies had been notified weeks in advance of the official meeting on September 8<sup>th</sup> that this was going to be put on the agenda and they did not show up. Assistant City Manager Steve Bacchus advised that he had informed one individual that worked with the City on the oil and gas leases and also Chesapeake. Councilman Ueckert stated that it appeared that they knew and chose not to attend the meeting. He reiterated Mayor Carey's statement that this ordinance will continue to be a work in progress.

Dan Carter, 821 Mocking Bird Circle, Lewisville, spoke before the City Council and advised that there were other companies than Chesapeake and that he had received something in the mail from one of them advising that they were going to be drilling in Lewisville. Councilman Ueckert advised that no permit applications had been received yet and that the City has been trying to warn people about misinformation and to be careful.

There was no action taken on this item.

**Consideration of Dates for the Annual City  
Council Retreat**

**(Agenda Item H-18)**

Each year, the City Council retreat is normally held on a Thursday through Saturday timeframe during the first or second week of February. This year, the first set of dates proposed would be Thursday, February 5 – through Saturday, February 7th; and the second set of dates would be February 12th – 14th. The Worthington Hotel, the Ashton Hotel, and The Hilton Garden Inn are all available on both dates.

The City staff's recommendation was that the City Council review the available dates and locations, and direct City staff as to which date and location is preferred.

John Gorena, 417 Creekwood Lane, Lewisville, Texas 75067, requested that the retreat be held within the City of Lewisville.

Councilman Durham reminded the City Council that Denton County Days are scheduled for February 9 – 12, 2009.

**MOTION:** Upon a motion made by Councilman Durham and seconded by Mayor Pro Tem Thornhill, the Council voted five (5) "ayes" and no (0) "nays" to direct City staff to arrange to have the City Council Retreat held at The Worthington Hotel in Fort Worth on Thursday, February 5 – through Saturday, February 7<sup>th</sup>. The motion carried.

(Agenda Item I)

**Reports**

- Third Quarter Boards/Commissions/Committees Attendance Reports.
- Fire Chief Rick Lasky gave an update on the Fire Department Open House.
- Human Resource Director Melinda Galler advised that the City of Lewisville kick off for the Southern County Neighbor to Neighbor campaign made at \$2,900 from the picnic and has collected \$18,000 in employee pledges
- Assistant City Manager Donna Barron reminded the City Council of the final concert of the Fall Music Series.
- Councilman Durham thanked the Mayor of Oak Point attending the meeting and speaking of their situation. Councilman Ueckert gave an update on the Southern Denton County Neighbor to Neighbor Kick Off scheduled to be held at the Lewisville Amphitheater on October 16<sup>th</sup>.
- Deputy Mayor Pro Tem Watts passed on his compliments to the City Council that we proved tonight people can disagree without being disagreeable. He stated that he was glad regardless of how the vote turned out that they treat each other with respect.

There were no additional reports at this time.

**Adjournment**

(Agenda Item L)

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Watts and seconded by Mayor Pro Tem Thornhill, the Council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lewisville City Council at 10:31 p.m. on Monday, October 6, 2008. The motion carried.

These minutes approved by the Lewisville City Council on the 20th day of October, 2008.

APPROVED

---

Gene Carey  
MAYOR

ATTEST:

---

Julie Heinze  
CITY SECRETARY