

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
JUNE 18, 2018**

**LEWISVILLE CITY HALL
151 WEST CHURCH STREET
LEWISVILLE, TEXAS 75057**

WORKSHOP SESSION - 6:30 P.M.

REGULAR SESSION – 7:00 P.M.

Call to Order and Announce a Quorum is Present.

WORKSHOP SESSION - 6:30 P.M.

****Items discussed during Workshop Session may be continued during the Regular Session after Reports if time does not permit holding or completing discussion of the item during Workshop Session.**

- A. Salary Survey
- B. CO Process
- C. Park Development Fee
- D. Discussion of Regular Agenda Items and Consent Agenda Items

REGULAR SESSION – 7:00 P.M.

- A. **INVOCATION:** Councilman Gilmore
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Councilman Ferguson
- C. **PROCLAMATION/PRESENTATION:** a) Declaring the City of Lewisville, Texas a “Purple Heart City”; and b) Presentation by Patriot Members.

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D. PUBLIC HEARINGS:

- 1. Public Hearing: Consideration of an Ordinance Granting a Zone Change From Townhouse Two District (TH-2) to Planned Development – Townhouse Two District (PD-TH-2), With Five Associated Variances and Removal of Deed Restrictions; on Approximately 9.49-Acres out of the Joel Summers Survey, Abstract No. 1323, Legally Described as Lots 1-14, and 15x, Block A; Lots 1-17, and 18X, Block B; Lots 1 & 2, and 3X, Block C; and Lot 1-X, Block D, Fireside Village Addition, Located at the Southeast Corner of College Parkway and Summit Avenue as Requested by Steve Lenart, Megatel Homes III, LLC, on Behalf of FCH Lewisville Senior Homes, LLC the Property Owner (Case No. PZ-2018-06-05).**

ADMINISTRATIVE COMMENTS:

The applicant plans to develop 82 townhomes on the subject property, which has been left vacant since streets and some utilities were installed but not completed in 2015 for a proposed 33-lot single family detached development deed restricted for seniors. The applicant is requesting removal of the deed restrictions and approval of five associated variances: a) to waive the alley requirement and allow front entry; b) to allow a gated community and private streets that are maintained by the HOA; c) to allow public utilities under private street pavement, HOA is responsible for the cost of the street and sidewalk repairs due to maintenance of the public utilities; d) to reduce the street intersection spacing from 350' to 120' between the proposed Fireside Lane & College Parkway intersection and the existing College Parkway & Summit Avenue intersection, and e) to allow for an ornamental tubular steel fence in lieu of the required masonry screening wall along the east boundary of the site. This request complies with the Lewisville 2025 Plan Big Moves of New Neighborhood Choice and Thriving Neighborhoods. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request and removal of deed restrictions at their meeting on June 5, 2018.

RECOMMENDATION:

It is City staff's recommendation that the City Council approve the zone change with the associated variances and removal of deed restrictions as set forth in the caption above.

AVAILABLE FOR - Richard E. Luedke, Planning Director
QUESTIONS: - Steve Lenart, Megatel Homes III, LLC

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2. **Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Single Family Residential District (R-7.5) to General Business District (GB); on Approximately 4.038 Acres out of the J.W. King Survey, Abstract Number 696, Located at 715 North Mill Street; as Requested by Patricia A. Guzik Koulogeorgiou, Trustee of the Koulogeorgiou Family Trust, the Property Owner (Case No. PZ-2018-05-03).**

ADMINISTRATIVE COMMENTS:

A residential home has been on the lot since 1970. An existing business is looking to consolidate their retail, office and showroom operations at this location. The business is consistent with the “creative mix” development desired by the Old Town North Small Area Plan, as well as Lewisville 2025 Vision: Big Move #3, which calls for new investment along Mill Street. The Planning and Zoning Commission recommended unanimous approval (5-0) of the zone change request at their meeting on May 15, 2018.

RECOMMENDATION:

That the City Council approve the ordinance as set forth in the caption above.

AVAILABLE FOR - Richard E. Luedke, Planning Director
QUESTIONS:

3. **Public Hearing: Consideration of Lewisville Juvenile Curfew Ordinance; and Consideration of a Resolution to Continue the Current Ordinance.**

ADMINISTRATIVE COMMENTS:

This is the second public hearing being held in accordance with provisions of the Local Government Code Section 370.002 in order to allow public input regarding the City’s Juvenile Curfew Ordinance adopted September 12, 1994. The City Council may abolish, continue, or modify the ordinance.

RECOMMENDATION:

That the City Council conduct the public hearing and approve a resolution to continue the current City Juvenile Curfew Ordinance.

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- E. **VISITORS/CITIZENS FORUM:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.
- F. **CONSENT AGENDA:** All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so request. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary.
4. **APPROVAL OF MINUTES:** a) **City Council Minutes of the May 16, 2018, Called Special Session;** b) **City Council Minutes of the May 21, 2018, Workshop Session and Regular Session;** and c) **City Council Minutes of the June 4, 2018, Workshop Session and Regular Session.**
5. **Approval of Administrative Policy 2.0, Section XV- Inclement Weather Leave.**

ADMINISTRATIVE COMMENTS:

In the event of extreme weather conditions that present an unreasonable safety risk to non-essential employees traveling to and from work, the City Manager may officially close City facilities based on recommendations from the Emergency Administration Manager. The proposed policy allows employees to use up to 16 hours per year of Employee and Dependent Sick Leave to cover any missed scheduled work time should the City Manager delay opening, close early or close for the day during inclement weather.

RECOMMENDATION:

That the City Council approve the policy as set forth in the caption above.

6. **Approval of a Resolution of the City of Lewisville Suspending the July 5, 2018 Effective Date of Texas-New Mexico Power Company's (TNMP's) Requested Rate Change to Permit the City Time to Study the Request and to Establish Reasonable Rates; Approving Cooperation with Other TNMP Cities; Hiring Lloyd Gosselink Attorneys and Consulting Services to Negotiate with the Company and Direct Any Necessary Litigation and Appeals; 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.**

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ADMINISTRATIVE COMMENTS:

On May 30, 2018, Texas-New Mexico Power Company (TNMP) filed an application with cities retaining original jurisdiction seeking to increase system-wide transmission and distribution rates by \$33.3 million. TNMP asks the City to approve a 23.4% increase in residential rates and an 11.8% increase in street lighting rates. Monthly rates would increase by approximately \$12.21 for an average residential customer. The resolution suspends the July 5, 2018 effective date of TNMP's rate increase for the maximum period permitted by law to allow the City, working in conjunction with other cities served by TNMP, to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue. The law provides that a rate request made by an electric utility cannot become effective until at least 35 days following the filing of the application to change rates. The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. If the City fails to take some action regarding the filing before the effective date, TNMP's rate request is deemed approved.

RECOMMENDATION:

That the City Council approve the resolution as set forth in the caption above.

G. REGULAR HEARINGS:

- 7. Consideration of a Variance to the Lewisville, City Code, Section 6-103 (E), Access Management, Auxiliary Lanes for First Baptist Church Lewisville, a 19.9-Acre Parcel Zoned Single-Family Residential (R-6), Located at the North West corner of Valley Ridge Boulevard and McGee Lane Requested by Jerry Fang, RLG Consulting Engineers, Inc., on Behalf of the Owner.**

ADMINISTRATIVE COMMENTS:

The First Baptist Church will be expanding its current building by over 20,000 square feet and will be removing the portable buildings. The proposed building will include classrooms and offices. The First Baptist Church has seven driveways along the frontage of McGee Lane and Valley Ridge Boulevard. None of the existing driveways have deceleration lanes which would be required under the General Development Ordinance Section 6-103 Access Management Policy based on the size lot. However, the owner hired a consultant to provide a Traffic Impact Analysis (TIA) for City Staff to review. The TIA showed during peak traffic times the church does not have a negative impact on the abutting roadways.

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RECOMMENDATION:

That the City Council approve the variance as set forth in the caption above.

AVAILABLE FOR QUESTIONS: - David Salmon, P.E., City Engineer

- 8. Considering an Ordinance of the Lewisville City Council Amending Chapter 6, Article II, Division I of the Lewisville City Code by Making Provisions for a Park Fee Consisting of a Parkland Dedication Requirement and Park Development Fee on Residential Development and Other Related Requirements; Amending Chapter 2, Article VIII, Section 2-201 by Amending the Park Development Fee Rate; Providing a Repealer, Severability and an Effective Date; and Declaring an Emergency.**

ADMINISTRATIVE COMMENTS:

The 2018 update to the Parks, Recreation and Open Space Master Plan calls for a periodic review and update of the Parkland Dedication Ordinance to provide a realistic mechanism for acquiring and developing parkland to meet the recreation needs of the community. Based on an evaluation of current level of service and the estimated population growth, staff recommends amending the ordinance to include a parkland dedication requirement, a cash-in-lieu of land option and increasing the park development fee to reflect the cost of improving the park system to accommodate the recreation needs of the community.

RECOMMENDATION:

That the City Council approve the ordinance as set forth in the caption above.

- 9. Discussion and Consideration of Appointments to Various City Boards/Commissions/Committees.**

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ADMINISTRATIVE COMMENTS:

On June 30, various terms of office on the City's boards, commissions, and committees will be expiring. Those positions have been identified and current appointees notified. The Board/Commission/Committee Appointment Process Electronic Notebook has been created for City Council's review. Data sheets for members requesting reappointment and all new applicants have been included in the electronic book. At the June 4, 2018 City Council meeting, the following interview teams were set up: Mayor Pro Tem Daniels and Councilman Ferguson; Deputy Mayor Pro Tem Jones and Councilman Gilmore; Mayor Durham and Councilman Troyer.

RECOMMENDATION:

That the City Council proceed with the appointment process to the various City Boards/Commissions/Committees.

10. Consideration of Appointment to the Denton County Homelessness Leadership Team

ADMINISTRATIVE COMMENTS:

The focus of the Denton County Homelessness Leadership Team (DCHLT) includes creating stronger community collaboration around community goals to end homelessness, better data collection and sharing, and educating and informing the community about solutions to homelessness and the community impact. The DCHLT is made up of representatives from Denton County, City of Denton, City of Lewisville, City of Sanger, board members from homelessness and housing providers, healthcare providers and members to the United Way of Denton County Board. The City of Lewisville appoints two members of the team (a council member and a city staff member/member of the community). Councilman Gilmore continues to serve on the DCHLT, but a vacancy now exists in the City's other appointed position. Neighborhood Services Coordinator Prit Patel has expressed an interest in serving on the DCHLT.

RECOMMENDATION:

That the City Council consider appointment of Neighborhood Services Coordinator Prit Patel to the Denton County Homelessness Leadership Team.

- H. **REPORTS:** Reports about items of community interest regarding which no action will be taken.

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- I. **CLOSED SESSION:** In Accordance with Texas Government Code, Subchapter D,
 - 1. Section 551.072 (Real Estate): Property Acquisition
 - 2. Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations

- J. **RECONVENE** into Regular Session and Consider Action, if Any, on Items Discussed in Closed Session.

- K. **ADJOURNMENT**

The City Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).