

**LEWISVILLE CITY COUNCIL**

**REGULAR SESSION**

**MAY 2, 2016**

**Present:**

Rudy Durham, Mayor

**Council Members:**

R Neil Ferguson, Mayor Pro Tem  
Greg Tierney, Deputy Mayor Pro Tem  
Leroy Vaughn  
TJ Gilmore  
Brent Daniels

**City Staff:**

Donna Barron, City Manager  
Steve Bacchus, Assistant City Manager  
Melinda Galler, Assistant City Manager  
Eric Ferris, Assistant City Manager  
Julie Heinze, City Secretary  
Lizbeth Plaster, City Attorney

**WORKSHOP SESSION – 6:00 P.M.**

With a quorum of the Council Members present, the workshop session of the Lewisville City Council was called to order by Mayor Durham at 6:00 p.m. on Monday, May 2, 2016, in the City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas. All City Department Heads were in attendance.

**Presentation of Proposed Design for  
Replacement Gateway Monument Signs**

**(Agenda Item A)**

At the request of City Manager Donna Barron, Community Relations & Tourism Director James Kunke conducted the attached PowerPoint Presentation.

Councilman Vaughn advised that he liked the design and what City staff has proposed. He wanted to move forward with locations that had the heaviest traffic areas. He requested if FM407 was one of locations selected, then he'd like for an additional location to also be approved while waiting on TxDOT approval.

Mayor Durham requested that City staff look into the Purple Heart Trail on the Federal Highway and work on getting that lined up within the City of Lewisville.

**WORKSHOP SESSION – 6:00 P.M.**

**Presentation of Proposed Design for  
Replacement Gateway Monument Signs  
(cont'd)**

**(Agenda Item A)**

Deputy Mayor Pro Tem Tierney advised that he felt the design looked good. He requested clarification on where the sign shown for FM407 would be located.

Councilman Daniels indicated that he preferred the Denton Tap Road and Hebron Parkway (near Carrollton boundary) as priorities and Round Grove Road (near Flower Mound), Valley Parkway (north of Business 121), Mill Street (north of Business 121) and Edmonds Lane (north of Business 121) lower on the list.

Councilman Gilmore questioned where the funding would come from on the northern and southern focal point along I35. City Manager Donna Barron advised that staff would come back at a later date regarding the funding as that would be a separate project. Mr. Kunke advised that the location on Garden Ridge immediately west of I35 had not been proposed as there were still opportunities for treatments with the current expansion. Councilman Gilmore indicated that he liked the design as presented.

Mayor Pro Tem Ferguson questioned if three locations could be done by supplementing with the already approved 2025 funding. Discussion was held that the more locations in the bid could potentially lower the costs but that was not always the case. Discussion was held regarding allowing the City Council additional time to consider the locations. Mayor Durham advised he wanted to move forward this evening.

Discussion was held among the City Council regarding the presented locations. The consensus of the City Council was to proceed with Denton Tap Road (requires TxDOT approval) and Hebron Parkway (near Carrollton boundary). Mayor Pro Tem Ferguson advised that he also liked the Valley Ridge Blvd. (west side of I-35E – both directions) location if there was additional funding opportunities.

**WORKSHOP SESSION – 6:00 P.M.**

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

**(Agenda Item B)**

Mayor Durham reviewed Agenda Item A, Invocation. There was no discussion on this item.

Mayor Durham reviewed Agenda Item B, Pledge to the American and Texas Flags. There was no discussion on this item.

**WORKSHOP SESSION – 6:00 P.M.**

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

**(Agenda Item B)**

Mayor Durham reviewed Agenda Item C, Graduation: 2015/2016 Lewisville Citizen's University Members. There was no discussion on this item.

Mayor Durham reviewed Agenda Item D, Proclamations: 1) Declaring May 5, 2016, as "Denton County Children's Mental Health Awareness Day"; 2) Declaring the Week of May 15-21, 2016, as "National Police Week"; and May 15, 2016, as "Police Memorial Day"; 3) Declaring the Month of May, 2016, as "Building Safety Month"; 4) Declaring the Week of May 1-7, 2016, as "National Drinking Water Week"; and May 15-21, 2016, as "National Public Works Week"; and 5) Declaring the Week of May 1-7, 2016, as "Texas Travel & Tourism Week" There was no discussion on this item.

Mayor Durham reviewed Agenda Item E-1, Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From General Business District (GB) to Old Town Mixed Use 2 District (OTMU2) on Two Tracts of Land Totaling Approximately 0.6323-Acres; Located on the East Side of Charles Street Between Elm Street and Houston Street; Legally Described as Lot 2, Block A, Lewisville Center Addition and a Portion of the J.W. King Survey, Abstract No. 696, as Requested by HAT Group LLC, the Property Owner (Case No. PZ-2016-04-11). There was no discussion on this item.

Mayor Durham reviewed Agenda Item E-2, Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Old Town Mixed Use 2 District (OTMU2) to Parking District (PK); on an Approximately 0.264-Acre Tract of Land, Located on the North Side of East Main Street, West of Railroad Street, at 541 East Main Street; Legally Described as a Portion of Lot 9R, Block 22, Kealy Addition, as Requested by Alex Paint and Body, LLC, the Property Owner (Case No. PZ-2016-04-12). There was no discussion on this item.

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

Mayor Durham reviewed Agenda Item G-3, Approval of City Council Minutes of the April 18, 2016, Workshop Session and Regular Session. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-4, Approval of Amendment No. 1 to the May 6, 1996 Contract for Sale of Treated Wastewater Effluent and Participation in Non-Potable Water Project Between the City of Lewisville and Upper Trinity Regional Water District. There was no discussion on this item.

**WORKSHOP SESSION – 6:00 P.M.**

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

**(Agenda Item B)**

Mayor Durham reviewed Agenda Item G-5, Approval of a Resolution Affirming Support for the Lewisville Independent School District in Seeking Fair and Appropriate Methods for Educating Local Students. (Requested by Councilman Gilmore). Councilman Gilmore addressed the City Council and explained the reason he had requested that the City Council consider the Resolution supporting LISD. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item H-6, Tabled Item: Consideration of an Ordinance Granting a Special Use Permit (SUP) for Minor Automobile Services Consisting of a Free-Standing Goodyear Auto Care Facility; and Consideration of Four Associated Variances on an Approximately 1.212-Acre Lot, Legally Described as Lot 1, Block G, Carrington Village Addition Phase II, Located at the Northwest Corner of FM 3040 and SH 121 Business, as Requested by Steve Meier of Hummel Investments, LLC. on Behalf of Drexel Realty Lewisville LP, the Property Owner (Case No. SUP-2016-02-01). There was no discussion on this item.

Mayor Durham reviewed Agenda Item H-7, Consideration of a Variance to the 1996 Castle Hills Agreement Section VIII(2)(27) Regarding the Elimination of the Ten-Foot Parallel Loading and Unloading Lanes Around the Facility Located at 4900 Sam Rayburn Tollway in the Lewisville E.T.J, as Requested by PS Lpt Properties Investors. Assistant City Manager Claire Swann explained the recommendation language change to the City Council. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item H-8, Consideration of Ordinances Amending the Lewisville City Code, Chapter 4, Adopting the 2015 International Construction Codes With Local Amendments and Standards, Including the Building Code; Residential Building Code; Plumbing Code; Fuel Gas Code; Mechanical Code; Energy Code; Existing Building Code; Chapter 9, Property Maintenance Code; and Chapter 5, Fire Code. There was no discussion on this item.

Mayor Durham reviewed Agenda Item H-9, Consideration of a Resolution Nominating a Representative and an Alternate Representative to the North Central Texas Council of Government's Regional Transportation Council. City Manager Donna Barron advised that should Highland Village Mayor Charlotte Wilcox not be re-elected, this item would come back for consideration. There was no further discussion on this item.

**WORKSHOP SESSION – 6:00 P.M.**

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

**(Agenda Item B)**

Mayor Durham reviewed Agenda Item H-10, Consideration of Acceptance of Resignation of Brandon Jones From Place No. 2 on the Planning and Zoning Commission (P&Z) and Place No. 4 on the Tax Increment Reinvestment Zone #2 (TIRZ #2); Declare Vacancies Exists on P&Z and the TIRZ #2; and Consideration of Appointments to Place No. 2 on the P&Z and Place No. 4 on the TIRZ #2. Discussion was held that Councilman Gilmore, Mayor Pro Tem Ferguson, and Councilman Vaughn all recommended John Lyng for these positions. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item H-11, Consideration of Appointments to the Denton County Homelessness Leadership Team. City Manager Donna Barron referenced the email that had been sent from United Way recommending President and CEO of CCA Chasz Parker to one of these positions. City Manager Donna Barron indicated that City staff supported that request and recommended Councilman Gilmore also be appointed. There was no further discussion on this item.

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

Mayor Durham reviewed Agenda Item J-Closed Session. There was no discussion on this item.

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:38 p.m. on Monday, May 2, 2016.

**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 Durham at 7:00 p.m. on Monday, May 2, 2016, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

**Invocation**

**(Agenda Item A)**

At the request of Mayor Durham, Deputy Mayor Pro Tem Tierney gave the invocation.

**Pledge to the American and Texas Flags**

**(Agenda Item B)**

At the request of Mayor Durham, Mayor Pro Tem Ferguson gave the pledge to the American and Texas flags.

**Graduation: 2015/2016 Lewisville Citizen's  
University Members**

**(Agenda Item C)**

Mayor Durham read and presented Certificates to graduating City's University members: Kathy Doyle, Douglas Hicks, John Lyng, William Meridith, Kent Moore, Gail Robison, Deniese Sheppard, Audra Smolinski, Tona Svoboda, and Russell Tyson (Bernard King was unable to attend).

**Proclamation: Declaring May 5, 2016, as  
"Denton County Children's Mental Health  
Awareness Day"**

**(Agenda Item D-1)**

Mayor Pro Tem Ferguson read and presented a proclamation declaring May 5, 2016 as "Denton County Children's Mental Health Awareness Day" to United Way Representatives Gary Henderson, Courtney Barnard, Tiana Gooden, and Latica Olson.

**Proclamation: Declaring the Week of May  
15-21, 2016, as "National Police Week"; and  
May 15, 2016, as "Police Memorial Day"**

**(Agenda Item D-2)**

Mayor Pro Tem Ferguson read and presented a proclamation declaring the week of May 15-21, 2016, as "National Police Week"; and May 15, 2016, as "Police Memorial Day" to City of Lewisville Police Officer Marvin Rosales.

**Proclamation: Declaring the Month of May,  
2016, as "Building Safety Month"**

**(Agenda Item D)**

Mayor Pro Tem Ferguson read and presented a proclamation declaring the Month of May, 2016, as "Building Safety Month" to the following City of Lewisville employees: Neighborhood Services: Cleve Joiner, George Babineaux, Jim Estep and Fire Inspectors: Tim Reese, Lucky Litchfield, Dan Wold, Derek Pollard, and John Adams.

**Proclamation: Declaring the Week of May 1-  
7, 2016, as "National Drinking Water  
Week"; and May 15-21, 2016, as "National  
Public Works Week"**

**(Agenda Item D)**

Mayor Pro Tem Ferguson read and presented a proclamation declaring the week of May 1-7, 2016, as "National Drinking Water Week"; and May 15-21, 2016, as "National Public Works Week" to the following City of Lewisville Public Services staff: Joe Galicia, Aaron Gilbertson, Malcom Texeira, Chris Presley, Juan Hernandez, James Wallingsford, Susan Martin, Joseph Perez, Buddy Phillips, Caleb Faught, and Eric Martinez.

**Proclamation: Declaring the Week of  
May 1-7, 2016, as “Texas Travel & Tourism  
Week”**

**(Agenda Item D)**

Mayor Pro Tem Ferguson read and presented a proclamation declaring the week of May 1-7, 2016, as “Texas Travel & Tourism Week” to Community Relations and Tourism Director James Kunke.

**Public Hearing: Consideration of Ordinance  
No. 4264-05-2016 (Z) Granting a Zone  
Change Request From General Business  
District (GB) to Old Town Mixed Use 2  
District (OTMU2) on Two Tracts of Land  
Totaling Approximately 0.6323-Acres;  
Located on the East Side of Charles Street  
Between Elm Street and Houston Street;  
Legally Described as Lot 2, Block A,  
Lewisville Center Addition and a Portion of  
the J.W. King Survey, Abstract No. 696, as  
Requested by HAT Group LLC, the Property  
Owner (Case No. PZ-2016-04-11)**

**(Agenda Item E-1)**

The current zoning of the property is General Business (GB), which allows for a multitude of neighborhood services and offices primarily retail in nature. The applicant is requesting Old Town Mixed Use Two (OTMU2) zoning to allow for a mixed use of commercial and residential that would be part of the larger South Village development. The zone change to OTMU2 complies with the Old Town Master Plan for the area and allows for greater flexibility in developing the site. The Planning and Zoning Commission recommended unanimous approval (5-0) of the zone change request at their meeting of April 19, 2016.

The City staff’s recommendation was that the City Council approve the ordinance as set forth in the caption above.

Mayor Durham opened the public hearing.

Nika Reinecke, Dir. of Economic Development/Planning was present to respond to any questions posed by the City Council.

**MOTION:** Upon a motion made by Councilman Vaughn and seconded by Mayor Pro Tem Ferguson, the Council voted five (4) “ayes” and no (0) “nays” to close the public hearing. The motion carried.

**Public Hearing: Consideration of Ordinance No. 4264-05-2016 (Z) Granting a Zone Change Request From General Business District (GB) to Old Town Mixed Use 2 District (OTMU2) on Two Tracts of Land Totaling Approximately 0.6323-Acres; Located on the East Side of Charles Street Between Elm Street and Houston Street; Legally Described as Lot 2, Block A, Lewisville Center Addition and a Portion of the J.W. King Survey, Abstract No. 696, as Requested by HAT Group LLC, the Property Owner (Case No. PZ-2016-04-11) (cont'd)**

(Agenda Item E-1)

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

“An Ordinance of the City Council of the City of Lewisville, Texas, Amending the Zoning Ordinance of the City Of Lewisville, Texas by Rezoning Two Tracts of Land Totaling Approximately 0.6323-Acres; Legally Described as Lot 2, Block A, Lewisville Center Addition and a Portion of the J.W. King Survey, Abstract No. 696, Located on the East Side of Charles Street Between Elm Street and Houston Street; From General Business District (GB) Zoning to Old Town Mixed Use 2 District (OTMU2) 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 This Zoning Change and Amendment Therein Made; Providing a Penalty; and Declaring an Emergency.”

**MOTION:** Upon a motion made by Councilman Vaughn and seconded by Mayor Pro Tem Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4264-05-2016 (Z)**, as previously captioned. The motion carried.

**Public Hearing: Consideration of Ordinance  
No. 4265-05-2016 (Z) Granting a Zone  
Change Request From Old Town Mixed Use  
2 District (OTMU2) to Parking District (PK);  
on an Approximately 0.264-Acre Tract of  
Land, Located on the North Side of East  
Main Street, West of Railroad Street, at 541  
East Main Street; Legally Described as a  
Portion of Lot 9R, Block 22, Kealy Addition,  
as Requested by Alex Paint and Body, LLC,  
the Property Owner (Case No. PZ-2016-04-  
12)**

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**(Agenda Item E-2)**

The current zoning of the property is Old Town Mixed Use Two (OTMU2), which allows for a mixed use of commercial and residential uses. The applicant is requesting Parking District (PK) zoning at the rear of the property to resolve employee and customer parking issues for his adjacent property – Alex Paint & Body, while still maintaining OTMU2 at the front of the property to allow for future building construction. The Planning and Zoning Commission recommended approval (5-0) of the zone change request at their meeting of April 19, 2016.

The City staff's recommendation was that the City Council approve the ordinance as set forth in the caption above.

Mayor Durham opened the public hearing.

Richard E. Luedke, Planning Manager and Alex Salguero, Property Owner, were both present to respond to any questions posed by the City Council.

**MOTION:** Upon a motion made by Councilman Daniels and seconded by Deputy Mayor Pro Tem Tierney, the Council voted five (5) "ayes" and no (0) "nays" to close the public hearing. The motion carried. Check the 2<sup>nd</sup> on this

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

"An Ordinance of the City Council of the City of Lewisville, Texas, Amending the Zoning Ordinance of the City of Lewisville, Texas by Rezoning an Approximately 0.264-Acre Tract of Land Legally Described as a Portion of Lot 9R, Block 22, Kealy Addition, Located on the North Side of East Main Street, West of Railroad Street, at 541 East Main Street; From Old Town Mixed Use 2 District (OTMU2) Zoning to Parking District (PK) 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 This Zoning Change and Amendment Therein Made; Providing a Penalty; and Declaring an Emergency."

**Public Hearing: Consideration of Ordinance No. 4265-05-2016 (Z) Granting a Zone Change Request From Old Town Mixed Use 2 District (OTMU2) to Parking District (PK); on an Approximately 0.264-Acre Tract of Land, Located on the North Side of East Main Street, West of Railroad Street, at 541 East Main Street; Legally Described as a Portion of Lot 9R, Block 22, Kealy Addition, as Requested by Alex Paint and Body, LLC, the Property Owner (Case No. PZ-2016-04-12) (cont'd)**

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**(Agenda Item E-2)**

**MOTION:** Upon a motion made by Councilman Daniels and seconded by Councilman Gilmore, the Council voted five (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4265-05-2016 (Z)**, as previously captioned. The motion carried.

**Visitors/Citizens Forum**

**(Agenda Item F)**

No one appeared to speak at this time.

**CONSENT AGENDA**

**(Agenda Item G)**

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

1. Consent Agenda Item No. 5 – Approval of a Resolution Affirming Support for the Lewisville Independent School District in Seeking Fair and Appropriate Methods for Educating Local Students. (Requested by Councilman Gilmore)

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Tierney and seconded by Councilman Gilmore, 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:

3. **APPROVAL OF MINUTES:** City Council Minutes of the April 18, 2016, Workshop Session and Regular Session.

CONSENT AGENDA (cont'd)

(Agenda Item G)

4. Approval of Amendment No. 1 to the May 6, 1996 Contract for Sale of Treated Wastewater Effluent and Participation in Non-Potable Water Project Between the City of Lewisville and Upper Trinity Regional Water District.

The motion carried.

END OF CONSENT AGENDA

**Approval of Resolution No. 4266-05-2016 (R)  
Affirming Support for the Lewisville  
Independent School District in Seeking Fair  
and Appropriate Methods for Educating  
Local Students (Requested by Councilman  
Gilmore)**

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(Agenda Item G-5)

Councilman Gilmore has requested that the City Council consider supporting LISD in its efforts to promote fairness and consistency in the state testing system and to seek restitution for the expenses incurred attempting to correct grading errors made on the state standardized tests.

That the City Council consider approving the resolution as stated in the above caption.

At the request of Councilman Gilmore, Beth Brockman, representing the Lewisville Independent School District, spoke before the City Council in favor of this item and thanked the City Council for their support.

**MOTION:** Upon a motion made by Councilman Gilmore and seconded by Mayor Pro Tem Ferguson, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt **Resolution No. 4266-05-2016 (R)**: Affirming Support for the Lewisville Independent School District in Seeking Fair and Appropriate Methods for Educating Local Students. The motion carried.

**Tabled Item: Consideration of Ordinance No. 4267-05-2016 (Z) Granting a Special Use Permit (SUP) for Minor Automobile Services Consisting of a Free-Standing Goodyear Auto Care Facility; and Consideration of Four Associated Variances on an Approximately 1.212-Acre Lot, Legally Described as Lot 1, Block G, Carrington Village Addition Phase II, Located at the Northwest Corner of FM 3040 and SH 121 Business, as Requested by Steve Meier of Hummel Investments, LLC. on Behalf of Drexel Realty Lewisville LP, the Property Owner (Case No. SUP-2016-02-01)**

(Agenda Item H-6)

The public hearing for the proposed SUP was continued from the February 15, 2016 and March 7, 2016 City Council meetings and held at the March 21, 2016 City Council meeting. This item was tabled at the March 21, 2016; April 4, 2016 and April 18, 2016, City Council meetings. Goodyear currently operates out of the retail center adjacent to this property. They have outgrown the facility and are looking to build a new 7,800 square-foot facility with 12 service bays. Staff recommends the following conditions if this SUP is approved: 1) overnight outside storage of vehicles shall not be allowed; 2) the outside storage of tires or other material shall not be allowed on the site; and 3) the hours of operation shall be limited to 7:30 a.m. to 7:00 p.m. Monday-Friday; 8:00 a.m. to 5:00 p.m. on Saturday and closed on Sunday, 4) an eight-foot, stained, board-on-board cedar fence with a top rail shall be installed on top of a minimum three-foot berm as shown on the fencing illustrations. This fence shall be kept in good repair for the life of the project. Four variances are requested: a) to waive the deceleration requirement; b) to waive the 250-foot control of access from the intersection of SH 121 Business; c) to waive the 230-foot driveway spacing requirement from an existing driveway on a separate lot; and d) to reduce the required 10-foot setback to 5 feet from the existing water and sanitary sewer easement. The Planning and Zoning Commission recommended approval of the SUP by a vote of 5-1 at their meeting on February 2, 2016.

The City staff's recommendation was that the City Council approves the ordinance and variances as set forth in the caption above.

Nika Reinecke, Director of Economic Development and Planning, was present to address any questions posed by the City Council.

**Tabled Item: Consideration of Ordinance No. 4267-05-2016 (Z) Granting a Special Use Permit (SUP) for Minor Automobile Services Consisting of a Free-Standing Goodyear Auto Care Facility; and Consideration of Four Associated Variances on an Approximately 1.212-Acre Lot, Legally Described as Lot 1, Block G, Carrington Village Addition Phase II, Located at the Northwest Corner of FM 3040 and SH 121 Business, as Requested by Steve Meier of Hummel Investments, LLC. on Behalf of Drexel Realty Lewisville LP, the Property Owner (Case No. SUP-2016-02-01) (cont'd)**

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(Agenda Item H-6)

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

“An Ordinance of the City Council of the City of Lewisville, Texas Amending the Zoning Ordinance of the City of Lewisville, Texas by Granting a Special Use Permit for Minor Automobile Services Consisting of a Free-Standing Goodyear Auto Care Facility; on a 1.212-Acre Lot, Legally Described As Lot 1, Block G, Carrington Village Addition Phase II; Located on the Northwest Corner of FM 3040 and SH 121 Business and Zoned General Business District (GB); Providing for Severability; Providing a Penalty; Providing a Repealer; Providing an Effective Date; and Declaring an Emergency.”

**MOTION:** Upon a motion made by Councilman Gilmore and seconded by Mayor Pro Tem Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4267-05-2016 (Z)**, as previously captioned. The motion carried.

**Consideration of a Variance to the 1996  
Castle Hills Agreement Section VIII(2)(27)  
Regarding the Elimination of the Ten-Foot  
Parallel Loading and Unloading Lanes  
Around the Facility Located at 4900 Sam  
Rayburn Tollway in the Lewisville E.T.J, as  
Requested by PS Lpt Properties Investors**

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**(Agenda Item H-7)**

The subject property has been developed as a climate controlled self-storage facility located within Castle Hills in the City of Lewisville's Extraterritorial Jurisdiction (ETJ) and, therefore, must be developed in accordance with the 1996 Castle Hills Agreement. Under the 1996 Castle Hills Agreement, self-storage facilities must provide a ten-foot parallel loading and unloading lane around the facility. The applicant requests a variance to allow the use of 37 head-in, 9' x 18' parking stalls (28 reserved for customers and 9 reserved for the caretaker's suite and office) instead of the required ten-foot parallel loading and unloading lane.

The City staff's recommendation was that the City Council approves the requested variance as set forth in the caption above with no conditions.

Cleve Joiner, Director of Neighborhood Services, was present to respond to any question posed by the City Council.

**MOTION:** Upon a motion made by Mayor Pro Tem Ferguson and seconded by Councilman Vaughn, the Council voted five (5) "ayes" and no (0) "nays" to approve a variance to the 1996 Castle Hills Agreement Section VIII(2)(27) regarding the elimination of the ten-foot parallel loading and unloading lanes around the facility located at 4900 Sam Rayburn Tollway in the Lewisville E.T.J, to allow the use of 37 head-in, 9' x 18' parking stalls (28 reserved for customers and 9 reserved for the caretaker's suite and office) instead of the required ten-foot parallel loading and unloading lane with no conditions as Requested by PS Lpt Properties Investors. The motion carried.

**Consideration of Ordinance No. 4268-05-2016, Ordinance No. 4269-05-2016, Ordinance No. 4270-05-2016, Ordinance No. 4271-05-2016, Ordinance No. 4272-05-2016 and Ordinance No. 4273-05-2016 Amending the Lewisville City Code, Chapter 4, Adopting the 2015 International Construction Codes With Local Amendments and Standards, Including the Building Code; Residential Building Code; Plumbing Code; Fuel Gas Code; Mechanical Code; Energy Code; Existing Building Code; Chapter 9, Property Maintenance Code; and Chapter 5, Fire Code**

**(Agenda Item H-8)**

Staff is submitting the 2015 edition of the International Codes with NCTCOG amendments to the City Council for adoption. The new codes are necessary to ensure that the City keeps pace with state laws, changing technology and practices of the construction industry. Staff is requesting City Council approval of the ordinances adopting the referenced codes and standards.

The City staff's recommendation was that the City Council adopt the 2015 Edition of the International Construction Codes with local amendments and standards as set forth in the caption above.

Cleve Joiner, Director of Neighborhood Services, was available to answer any question posed by the City Council.

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

“An Ordinance of the City Council of the City of Lewisville, Texas, Adopting the 2015 International Existing Building Code and its Appendixes A, B, and C Adopting This Code; To Article II (Building Standards) of Chapter 4 (Buildings and Building Regulations) of the Lewisville City Code; Providing a Repealer; Providing a Severability Clause; Providing for a Penalty; Providing for an Effective Date; and Declaring an Emergency.”

“An Ordinance of the City Council of the City of Lewisville, Texas, Adopting the 2015 International Property Maintenance Code, and C Adopting This Code; to Article IV (Property Maintenance Code) of Chapter 9 (Nuisances) of the Lewisville City Code; Providing a Repealer; Providing a Severability Clause; Providing for a Penalty; Providing for an Effective Date; and Declaring an Emergency.”

**Consideration of Ordinance No. 4268-05-2016, Ordinance No. 4269-05-2016, Ordinance No. 4270-05-2016, Ordinance No. 4271-05-2016, Ordinance No. 4272-05-2016 and Ordinance No. 4273-05-2016 Amending the Lewisville City Code, Chapter 4, Adopting the 2015 International Construction Codes With Local Amendments and Standards, Including the Building Code; Residential Building Code; Plumbing Code; Fuel Gas Code; Mechanical Code; Energy Code; Existing Building Code; Chapter 9, Property Maintenance Code; and Chapter 5, Fire Code**

**(Agenda Item H-8)**

“An Ordinance of the City Council of the City of Lewisville, Texas, Adopting the 2015 International Building Code and its Appendixes E, F, G, J, K; Adopting the 2015 Energy Conservation Code; Adopting the 2015 International Residential Code and its Appendixes A, B, C, D, E, G, J, K, M, O, P, T, U; Adopting Local Amendments to These Codes; Amending Sections 4-26, 4-28, 4-29, 4-30, 4-31, and 4-32 to Article II (Building Standards) of Chapter 4 (Buildings and Building Regulations) of the Lewisville City Code; Maintaining Sprinkler Requirements for Townhomes; Providing a Repealer; Providing a Severability Clause; Providing for a Penalty; Providing for an Effective Date; and Declaring an Emergency.”

“An Ordinance of the City Council of the City of Lewisville, Texas, Adopting the 2015 International Mechanical Code With Local Amendments; Amending Section 4-131 and 4-132 of Article V (Mechanical Standards) of Chapter 4 (Buildings and Building Regulations) of the Lewisville City Code; Providing a Repealer; Providing a Severability Clause; Providing for a Penalty; Providing for an Effective Date; and Declaring an Emergency.”

“An Ordinance of the City Council of the City of Lewisville, Texas, Amending Article III, Electrical Standards; Section 4-46, 4-47 and 4-48 of the Code of Ordinances of the City by Adopting the National Electrical Code 2014 Edition Published by the National Fire Protection Association and Related Matters; and Deleting the Current Language in Section 4-46, 4-47 and 4-48 Providing a Repealer; Providing a Severability Clause; Providing for a Penalty; Providing for an Effective Date; and Declaring an Emergency.”

**Consideration of Ordinance No. 4268-05-2016, Ordinance No. 4269-05-2016, Ordinance No. 4270-05-2016, Ordinance No. 4271-05-2016, Ordinance No. 4272-05-2016 and Ordinance No. 4273-05-2016 Amending the Lewisville City Code, Chapter 4, Adopting the 2015 International Construction Codes With Local Amendments and Standards, Including the Building Code; Residential Building Code; Plumbing Code; Fuel Gas Code; Mechanical Code; Energy Code; Existing Building Code; Chapter 9, Property Maintenance Code; and Chapter 5, Fire Code**

**(Agenda Item H-8)**

“An Ordinance of the City Council of the City of Lewisville, Texas, Adopting the 2015 International Fire Code With Local Amendments; Amending Sections 5-91, 5-92, and 5-94.5 of Chapter 5, Article III (Fire Prevention Standards) of the Lewisville City Code; Providing a Repealer; Providing a Severability Clause; Providing for a Penalty; Providing for an Effective Date; and Declaring an Emergency.”

**MOTION:** Upon a motion made by Councilman Vaughn and seconded by Mayor Pro Tem Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4268-05-2016, Ordinance No. 4269-05-2016, Ordinance No. 4270-05-2016, Ordinance No. 4271-05-2016, Ordinance No. 4272-05-2016 and Ordinance No. 4273-05-2016**, as previously captioned. The motion carried.

**Consideration of Resolution No. 4274-05-2016 (R) Nominating a Representative and an Alternate Representative to the North Central Texas Council of Government’s Regional Transportation Council**

**(Agenda Item H-9)**

The Regional Transportation Council of the North Central Texas Council of Governments allocates seats on the council by region and city population. Lewisville is in a cluster region along with Highland Village and Flower Mound. This cluster’s current representative to the Regional Transportation Committee is Mayor Durham, who has indicated his willingness to serve again. The current alternate representative to the Regional Transportation Council is Charlotte Wilcox, the Mayor from Highland Village, who has also indicated her interest to continue serving.

**Consideration of Resolution No. 4274-05-2016 (R) Nominating a Representative and an Alternate Representative to the North Central Texas Council of Government's Regional Transportation Council (cont'd)**

**(Agenda Item H-9)**

The City staff's recommendation was that the City Council consider a resolution nominating a representative and an alternate representative to the North Central Texas Council of Government's Regional Transportation Council.

**MOTION:** Upon a motion made by Councilman Daniels and seconded by Deputy Mayor Pro Tem Tierney, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt **Resolution No. 4274-05-2016 (R)**: a Resolution of the City Council of the City of Lewisville, Texas, Nominating Lewisville Mayor Rudy Durham as the Representative and Highland Village Mayor Charlotte Wilcox as the Alternate Representative to the Regional Transportation Council. The motion carried.

**Consideration of Acceptance of Resignation of Brandon Jones From Place No. 2 on the Planning and Zoning Commission (P&Z) and Place No. 4 on the Tax Increment Reinvestment Zone #2 (TIRZ #2); Declare Vacancies Exists on P&Z and the TIRZ #2; and Consideration of Appointments to Place No. 2 on the P&Z and Place No. 4 on the TIRZ #2**

**(Agenda Item H-10)**

Brandon Jones will be sworn into Place No. 4 of the Lewisville City Council on May 16, 2016; therefore, he has submitted notice of his resignations from Place No. 2 on the P&Z and Place No. 4 on the TIRZ #2. The City Council will need to declare the vacancies and consider new appointments to fill both vacancies.

The City staff's recommendation was that the City Council accept the resignations, declare vacancies, and consider appointments as set forth in the caption above.

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Tierney and seconded by Mayor Pro Tem Ferguson, the Council voted five (5) "ayes" and no (0) "nays" to acceptance the resignation of Brandon Jones from Place No. 2 on the Planning and Zoning Commission (P&Z) and Place No. 4 on the Tax Increment Reinvestment Zone #2 (TIRZ #2); declared vacancies existed on P&Z and the TIRZ #2; and appointed John Lyng to Place No. 2 on the P&Z and Place No. 4 on the TIRZ #2. The motion carried.

**Consideration of Appointments to the  
Denton County Homelessness Leadership  
Team**

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**(Agenda Item H-11)**

The Denton County United Way sponsored the creation of the Denton County Behavioral Health Leadership Team made up of mostly community leaders. Councilman T.J. Gilmore and Assistant City Manager Melinda Galler were appointed to serve on the team in July 2015. The Behavioral Health Leadership Team has workgroups that look at the issue of homelessness from a mental health standpoint, but it does not address the overall issue of the homeless population in Denton County. The Denton County United Way joined the City of Denton to launch a county-wide leadership team focused on the growing homelessness issues impacting all communities in Denton County and has requested the appointment of one representative from the Lewisville City Council and one representative from staff or from the community to serve on the team. Councilman Gilmore has expressed an interest in serving on the DCHLT since he is already serving on the Denton County Behavioral Leadership Team and the two have similar goals and will be coordinating work groups. ACM Claire Swann has also agreed to serve as the staff representative.

The City staff's recommendation was that the City Council appoint Assistant City Manager Claire Swann and consider appointing Councilman TJ Gilmore to the Denton County Homelessness Leadership Team.

**MOTION:** Upon a motion made by Councilman Gilmore and seconded by Deputy Mayor Pro Tem Tierney, the Council voted five (5) "ayes" and no (0) "nays" to appoint City Councilmember TJ Gilmore and President and CEO of CCA, Chasz Parker, to the Denton County Homelessness Leadership Team. The motion carried.

**Reports**

**(Agenda Item I)**

- Fire Chief Tim Tittle reminded everyone that Keep the Tradition Alive was being held May 12 and 13<sup>th</sup>. Chief Tittle advised of the events that would be going on during this time.
- Director of Public Keith Marvin updated the City Council on the status of the lake and advised it was currently at 524.9 which was 2.9 above conservation.
- Assistant City Manager Eric Ferris updated the City Council on the status of the intersection of College and Mill.
- Councilman Daniels expressed thanks for Deputy Mayor Pro Tem Tierney for being such a great role model on the City Council.
- Deputy Mayor Pro Tem Tierney advised that it had been a pleasure and honor to serve the citizens of Lewisville for 15 years.
- Councilman Gilmore advised of the upcoming selection of the City's Poet Laurette.
- City Manager Donna Barron advised of the passing of former City Attorney Ronald Neiman.

**Reports (cont'd)**

**(Agenda Item I)**

- Mayor Pro Tem Ferguson thanked Deputy Mayor Pro Tem Tierney for his service and advised that he would miss Deputy Mayor Pro Tem Tierney's remarkable ability to see things that others do not see and acknowledged his dedication to the City. Mayor Pro Tem Ferguson gave an update on the upcoming events at the MCL Grand Theatre.
- Councilman Vaughn advised that he would miss Deputy Mayor Pro Tem Tierney and acknowledged while he was a quiet man that did not have a lot to say, when he did it was pertinent and on point and he would miss that.
- City Secretary Julie Heinze reminded everyone regarding voting dates and times.
- At the request of City Manager Donna Barron, all those in attendance stood to acknowledge Deputy Mayor Pro Tem Tierney's service to the City of Lewisville.
- Mayor Durham thanked the police officers present for their work and dedication.

There were no additional reports at this time.

Mayor Durham adjourned the regular session of the Lewisville City Council into Closed Session at 7:58 p.m. Monday, May 2, 2016, in accordance with the requirements of the Open Meetings Law.

**Closed Session**

**(Agenda Item J)**

In accordance with Texas Government Code, Subchapter D, Section 551.072 (Real Estate), the Lewisville City Council convened into Closed Session at 7:58 p.m. on Monday, May 2, 2016, City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas, in order to discuss matters pertaining to the following:

Section 551.071

1. (Consultation with Attorney): Legal issues related to oil and gas operations.
2. Property Acquisition

Section 551.087 (Economic Development):

3. Deliberation Regarding Economic Development for Potential Company Relocation.

The Closed Session was adjourned at 8:29 p.m. on Monday, May 2, 2016.

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

**(Agenda Item K)**

Mayor Durham reconvened the Regular Session of the Lewisville City Council at 8:29 p.m. on Monday, May 2, 2016, in the Council Chambers of the Lewisville City Hall.

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

**Adjournment**

**(Agenda Item L)**

(Deputy Mayor Pro Tem Tierney was not present at the dais.)

**MOTION:** Upon a motion made by Councilman Vaughn and seconded by Mayor Pro Tem Ferguson, the Council voted four (4) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lewisville City Council at 8:29 p.m. on Monday, May 2, 2016. The motion carried.

These minutes approved by the Lewisville City Council on the 16<sup>th</sup> day of May, 2016.

APPROVED

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Rudy Durham  
MAYOR

ATTEST:

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Julie Heinze  
CITY SECRETARY

# Gateway Signs

- Current signage
- Proposal development
- Budget allocation
- Proposed design
- Other cities' signs
- Cost estimate and possible locations

# Current signage

- ❖ Current gateway monument signs are a simple molded polyester sign with a stucco shroud and were installed in the early- and mid-1990s displaying the city logo used at that time (still in use into 2009)
- ❖ Current locations:
  - ✓ Garden Ridge Boulevard, west of 35E
  - ✓ Valley Ridge Boulevard, west of 35E
  - ✓ Valley Ridge Boulevard, east of 35E
  - ✓ Mill Street at SH 121 Business
  - ✓ Edmonds Lane, north of SH 121 Business
  - ✓ Denton Tap at Highland Drive
  - ✓ MacArthur Boulevard, north of Vista Ridge Mall Drive
  - ✓ Hebron Parkway, west of the Trinity River



# Proposal development

- ❖ New logo (adopted 2009) is not reflected on current signs
- ❖ Lewisville 2025 vision plan addresses the inconsistent branding represented by the current signs

*Lewisville 2025 vision plan, page 68: “Several logos within the city exist both old and new and dilute the overall brand. The current branding plan needs to be fully implemented or otherwise reworked for continuity in City logo placement and rollout.” (July 2014)*

- ❖ Brand Assessment by Cooksey Communications recommends replacement of the monument signs

*Strategic Communications & Marketing Plan and Brand Assessment, page 32: “Replace outdated/old gateway signs that aren’t nicely or clearly marked with the City’s current branding and/or logo. Other cities with distinctive logos often include those logos on their gateway signage, and given Lewisville’s long-term plan (2025) with a green centerpiece that works well with the current brand, we would recommend including that distinctive logo/brand on the signage, as an indicator of the City’s commitment to that vision plan.” (July 2015)*

# Budget allocation

- ❖ Cost of replacing all current signs at once was seen by staff as prohibitively expensive, so a phased approach was chosen
- ❖ Based on an estimate of \$40,000 per sign, staff requested money in the 2015-16 budget to replace three current signs
- ❖ Council approved a General Fund allocation of \$124,864 as part of the 2015-16 budget

# Proposed design

- ❖ Intent is to have gateway signs that feature a more contemporary design while using traditional materials and colors that will be more likely to remain current
- ❖ Current branding is to be incorporated
- ❖ GoGo Creative was retained to develop design concepts (same company that developed the current branding concept and logo design)
- ❖ Senior staff reviewed more than a dozen concepts, revising the preferred concept multiple times before agreeing on the proposed design
- ❖ Proposed design is “block” presentation, which means it can fit in most current or future locations. Vertical and horizontal alternates are still being discussed but will not be needed until FY 2016-17 at the earliest.



**Austin Stone:** Solid Cut Slab and Austin Stone Stacked; or lightweight simulated stone

**Lewisville:** Steel / Powder Coated Metal – Copper Color / Mounted on rods

**Purple Martin:** Bird Cut out of Powder Coated Metal – Copper Color

**Texas:** Perforated in shape of Texas out of Powder Coated Metal – Copper Color

**Scale:**

8 ft tall Stacked Stone Column

7 ft wide slab base

1 ft tall Lewisville letters

3 ft x 3.5 ft logo area

**Material Detail:**







Highland Village Sign - Northern City Limit at FM 2499  
\$54,000 - was constructed as a portion of a \$1M Project





Coppell Sign - Freeport Parkway and SH 121  
\$31,000 - was constructed as a portion of a \$5M Project  
(landscaping & lighting were additional cost)



# Possible Lewisville Locations

| No. | Street Name   | Average Daily Traffic | Year Data Collected |
|-----|---|-----------------------|---------------------|
| 1   | * FM 407 (east of Garden Ridge - both directions)         | 26,554                | 2013                |
| 2   | * Denton Tap Rd.  | 23,665                | 2008                |
| 3   | Hebron Parkway (near Carrollton boundary)                 | 21,890                | 2012                |
| 4   | MacArthur Blvd. (near Coppell boundary)                   | 21,802                | 2009                |
| 5   | Valley Ridge Blvd. (west side of I-35E - both directions) | 21,573                | 2013                |
| 6   | * Round Grove Rd. (near Flower Mound)                     | 15,279                | 2008                |
| 7   | Valley Pkwy. (north of Business 121)                      | 11,427                | 2014                |
| 8   | Mill Street (north of Business 121)                       | 11,162                | 2013                |
| 9   | Edmonds Ln. (north of Business 121)                       | 8,416                 | 2009                |

\* Requires TxDOT approval

# Cost estimate

- ❖ Staff obtained preliminary/conceptual pricing of the proposed sign (mid-range product/scope) - \$50,000 per location
- ❖ In addition to the budget allocation for gateway monument signs, there is undesignated money in the Lewisville 2025 fund that can be used

# Staff Direction

A. Provide direction on sign design

B. Provide direction on sign locations