

LEWISVILLE CITY COUNCIL

REGULAR SESSION

OCTOBER 17, 2016

Present:

Rudy Durham, Mayor

Council Members:

TJ Gilmore, Mayor Pro Tem
Leroy Vaughn, Deputy Mayor Pro Tem (Absent)
R Neil Ferguson
Brent Daniels
Brandon Jones

City Staff:

Donna Barron, City Manager
Eric Ferris, Assistant City Manager
Claire Swann, Assistant City Manager
Melinda Galler, 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, October 17, 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.

**Discussion of the Future of Library Services
presented by Carolyn Booker, Director of
Library Services**

(Agenda Item A)

At the request of City Manager Donna Barron, Library Director Carolyn Booker presented the attached PowerPoint Presentation.

**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, Proclamation: Declaring the Week of October 17-21, 2016, as “Texas Chamber of Commerce Week”. There was no discussion on this item.

Mayor Durham reviewed Agenda Item D, Presentation: Certificate of Achievement for Planning Excellence. There was no discussion on this item.

Mayor Durham advised that discussion of Agenda Items E-1 – E-6 would be conducted by Mayor Pro Tem Gilmore and Agenda Item E7 -E12 would be conducted by Councilman Daniels; and he would be handling the discussion of Visitors Citizens Forum and Consent Items.

Mayor Pro Tem Gilmore reviewed Agenda Item E-1, Public Hearing: Consideration of a Boundary Adjustment Agreement Between the City of Lewisville and the City of Highland Village Which Adjusts Their Common Boundary Lines and Releases Certain Parcels of Land. There was no discussion on this item.

Mayor Pro Tem Gilmore reviewed Agenda Item E-2, Public Hearing: Consideration of a Boundary Adjustment Agreement Between the City of Lewisville and the City of Highland Village Which Adjusts Their Common Boundary Lines and Releases Certain Parcels of Land. There was no discussion on this item.

Mayor Pro Tem Gilmore reviewed Agenda Item E-3, Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Office District (OD) to Old Town Mixed Use Two District (OTMU2), on a 0.450-Acre Tract of Land out of the J. W. King Survey, Abstract No. 696; Located on the West Side of Herod Street Approximately 200 Feet North of West Main Street, at 119 Herod Street, as Requested by 119 Herod, LLC, the Property Owner (Case No. PZ-2016-09-22). There was no discussion on this item.

Mayor Pro Tem Gilmore reviewed Agenda Item E-4, Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Light Industrial District (LI) Zoning to Old Town Mixed Use Two District (OTMU2) Zoning, on 0.2132 Acres Legally Described as Lot 5, Block A, H. D. Williams Addition, Located on the Northeast Corner of North Kealy Avenue and East Walters Street, at 308 North Kealy Avenue; as Requested by Hector Morales, on Behalf of Amy Sadeghian, Trustee of the Kamy Real Estate Trust, the Property Owner (Case No. PZ-2016-09-23). 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 Pro Tem Gilmore reviewed Agenda Item E-5, Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Light Industrial District (LI) to Old Town Mixed Use Two District (OTMU2) on 0.517 Acres Legally Described as a Portion of Lot 7, and all of Lots 8, 9 and 10, Block 7, Kealy Addition, Located on the Northwest Corner of East Church Street and Harris Street, at 219 and 231 East Church Street; as Requested by Robert Gavitt, on Behalf of Les Moore Construction Inc., the Property Owner (Case No. PZ-2016-09-24). There was no discussion on this item.

Mayor Pro Tem Gilmore reviewed Agenda Item E-6, Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Office District (OD) to Single Family Residential District (R-7.5); on a 0.309 Acres Legally Described as Lot 3, Block E, Hivue Addition; Located on the North Side of Millican Drive Approximately 150 East of North Stemmons Freeway, at 721 Millican Drive; as Requested by Joseph Ungeheier, the Property Owner (Case No. PZ-2016-10-26). There was no discussion on this item.

Councilman Daniels reviewed Agenda Item E-7, Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Agricultural Open-Space District (AO), Light Industrial District (LI) and Specific Use – Landfill Operations District (SU – Landfill Operations) to Specific Use – Landfill Operations and Accessory Uses District (SU – Landfill Operations and Accessory Uses); With Seven Associated Variances, on Approximately 470 Acres Situated in the P.O. Leary Survey, Abstract No. 974; A.J. Chowning Survey, Abstract No. 1638; P. Higgins Survey, Abstract No. 525; H. Harper Survey, Abstract No. 605; and the S. M. Hayden Survey, Abstract No. 537; Generally Located at the Southern Terminus of Huffines Boulevard and South of the Future Extension of East Corporate Drive, at 580 Huffines Boulevard; as Requested by Jason Edwards of Weaver Consultants Group, LLC on Behalf of the City of Farmers Branch and Camelot Landfill TC, LP, the Property Owners (Case No. PZ-2016-09-27). Mayor Pro Tem Gilmore indicated that he would be abstaining from this item. City Attorney Lizbeth Plaster advised that due to Deputy Mayor Pro Tem Vaughn not being present to vote and Mayor Pro Tem Gilmore abstaining, this item could not be passed utilizing the emergency clause and would need to be read three times. Further discussion was held that there would not be enough voting members present to address this item as Councilman Jones also needed to abstain. 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)

Councilman Daniels reviewed Agenda Item E-8, Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Light Industrial District (LI) to Warehouse District (WH); on 17.007 Acres Legally Described as Lots 1A, 1B, 1C and 2, Kealy Park Addition; Located on the East Side of North Mill Street Approximately 550 Feet South of Valley Ridge Boulevard, at 902 North Mill Street; as Requested by Robert Schneeberg of Gonzalez & Schneeberg, Engineers & Surveyors, Inc. on Behalf of Chris Holmes, Builders FirstSource, the Property Owner (Case No. PZ-2016-09-25). There was no discussion on this item.

Councilman Daniels reviewed Agenda Item E-9, Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for a Wholesale Establishment with Outside Storage on More Than Ten Percent of the Platted Lot on 17.007 Acres Legally Described as Lots 1A, 1B, 1C and 2, Kealy Park Addition, Located on the East Side of North Mill Street Approximately 550 South of Valley Ridge Boulevard, at 902 North Mill Street; as Requested by Robert Schneeberg of Gonzalez & Schneeberg, Engineers & Surveyors, Inc. on Behalf of Chris Holmes, Builders FirstSource, the Property Owner (Case No. SUP-2016-09-09). There was no discussion on this item.

Councilman Daniels reviewed Agenda Item E-10, Public Hearing: Consideration of Deeming Substandard a Single Family Dwelling Located at 729 Red Wing Drive, Timberbrook 4 Subdivision, Block A, Lot 2, Lewisville, Texas. There was no discussion on this item.

Councilman Daniels reviewed Agenda Item E-11, Public Hearing: Consideration of Deeming Substandard a Single Family Dwelling Located at 401 Village Drive, Serendipity Village Subdivision Block E, Lot 1. There was no discussion on this item.

Councilman Daniels reviewed Agenda Item E-12, Public Hearing: Consideration of Deeming Substandard a Single Family Dwelling Located at 810 Foxwood Place, Serendipity Village Subdivision, Block 5, Lot 23, Lewisville, Texas. 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-13, Approval of City Council Minutes of the October 3, 2016, Workshop Session and Regular Session. 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-14, Approval of a First Amendment to Agreement By and Between City of Lewisville, Texas and City of Farmers Branch, Texas Regarding the Expansion of the Camelot Landfill. Discussion was held that both Councilman Jones and Mayor Pro Tem Gilmore would be abstaining from this item and Agenda Item G-15 so the items would need to be pulled from Consent. Due to the absence of Deputy Mayor Pro Tem Vaughn, there would not be enough voting members to take any action on these two items. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item G-15, Approval of a Resolution of the City Council of the City of Lewisville, Texas, Approving the Major Permit Amendment Application, Revised August 2016, for Camelot Landfill, TCEQ Permit No. MSW-1312B. (See Agenda Item G-14 for discussion). There was no further discussion on this item.

Mayor Durham reviewed Agenda Item G-16, Approval of an Award for the Lewisville Raw Water Intake Electrical Improvements to Russell Madden, Inc., Aubrey Texas, in the Amount of \$218,001; and Authorization for the City Manager to Execute the Contract. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-17, Approval of a Wholesale Untreated Water Purchase Contract Between the City of Dallas and City of Lewisville; and Authorization for the City Manager or Her Designee to Execute the Contract. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-18, Approval of a Memorandum of Understanding (MOU) for an Interlocal Agreement Among the Cities of Lewisville, Highland Village, The Colony and the Town of Flower Mound for the Shared Use of 3D Scanning Devices Purchased With Grant Funds by the City of Lewisville; and Authorization for the City Manager or her Designee to Execute the Agreement. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-19, Approval of a Memorandum of Understanding (MOU)/Release of Liability Agreement Between the City of Lewisville and Denton County Allowing Use of Vacant Buildings; and Authorizing the Mayor to Execute the Agreement. 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-20, Approval of a Resolution for Financing by the Woodloch Health Facilities Development Corporation of a Health Facility Located Within Lewisville, Texas for Senior Care Living VII, LLC. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-21, 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 Neighborhood Services Department and the Public Services Department for FY 2016-2017; and Authorization for City Officials to Execute the Agreements. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-22, Approval of Excusing Deputy Mayor Pro Tem Vaughn From Attendance at the City Council Meetings Held on September 12th, September 19th, and October 3, 2016. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-23, Acceptance of a 4.308 Acre Tract of Land in the Russell Craft Survey, Abstract No. 255; Located on the North-Bound Access Road of I-35 Between Millican Drive and Valley Ridge Boulevard; Being Donated to the City of Lewisville, Texas by Deed From TAT Lewisville I-35, LLC. There was no discussion on this item.

Mayor Durham reviewed Agenda Item H-24, Consideration of Two Variances to the Lewisville City Code Section 6-103 (Access Management) Regarding Deceleration Lane and Driveway Spacing Requirements Related to the La Quinta Located at 1657 South Stemmons Freeway, as Requested by Kevin Patel, Triangle Engineering, LLC, on Behalf of the Owner. There was no discussion on this item.

Mayor Durham reviewed Agenda Item H-25, Consideration of an Ordinance of the Lewisville City Council Amending Chapter 16, Utilities, Article IX, Municipal Setting Designations, of the Lewisville City Code by Repealing and Replacing Article IX in its Entirety; Providing for Severability; Providing a Penalty; Providing an Effective Date; and Declaring an Emergency. There was no discussion on this item.

Mayor Durham reviewed Agenda Item I, Reports. 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 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 6:41 p.m. on Monday, October 17, 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, October 17, 2016, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

Invocation

(Agenda Item A)

Mayor Durham gave the invocation.

Pledge to the American and Texas Flags

(Agenda Item B)

At the request of Mayor Durham, Councilman Daniels gave the pledge to the American and Texas flags.

**Proclamation: Declaring the Week of
October 17-21, 2016, as “Texas Chamber of
Commerce Week”**

(Agenda Item C)

Councilman Ferguson read and presented a proclamation declaring the week of October 17-21, 2016, as “Texas Chamber of Commerce Week” to the following individuals: Ray Hernandez, Bill Collins, Ginny Dodson, Lisa Drumm, Bobbie Mitchell, Cristinas Rodriguez, Bob Troyer, Carolyn Wright, Robert Felt, Sue Bowman, Brian Weale, Karen Locke, Yvonda Coleman, Steve Southwell, Jeffrey Lawrence, and Yvette Hillehand.

**Presentation: Certificate of Achievement for
Planning Excellence**

(Agenda Item D)

Nika Reinecke, Director of Economic Development and Planning, read and presented a Certificate of Achievement for Planning Excellence to the following City of Lewisville employees: Mary Paron Boswell, Richard Luedke, June Sim, and Theresa Ernest.

**Public Hearing: Consideration of a
Boundary Adjustment Agreement Between
the City of Lewisville and the City of
Highland Village Which Adjusts Their
Common Boundary Lines and Releases
Certain Parcels of Land**

(Agenda Item E-1)

The Texas Local Government Code allows adjacent municipalities which desire to make mutually agreeable changes in their boundaries of areas that are less than 1,000 feet in width to do so by agreement. Section 43.063 of the Texas Local Government Code requires that two public hearings be held. Notice of the hearings were published in a newspaper of general circulation.

The City staff's recommendation was that the City Council conduct the first public hearing considering the boundary adjustment agreement as set forth in the caption above.

Mayor Pro Tem TJ Gilmore opened the public hearing.

Eric Ferris, Assistant City Manager briefly reviewed this item for City Council consideration.

MOTION: Upon a motion made by Councilman Jones and seconded by Councilman Daniels, the Council voted four (4) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

**Public Hearing: Consideration of a
Boundary Adjustment Agreement Between
the City of Lewisville and the City of
Highland Village Which Adjusts Their
Common Boundary Lines and Releases
Certain Parcels of Land**

(Agenda Item E-2)

The Texas Local Government Code allows adjacent municipalities which desire to make mutually agreeable changes in their boundaries of areas that are less than 1,000 feet in width to do so by agreement. Section 43.063 of the Texas Local Government Code requires that two public hearings be held. Notice of the hearings were published in a newspaper of general circulation.

The City staff's recommendation was that the City Council conduct the second public hearing considering the boundary adjustment agreement as set forth in the caption above.

Mayor Pro Tem TJ Gilmore opened the public hearing.

Eric Ferris, Assistant City Manager briefly reviewed this item for City Council consideration.

MOTION: Upon a motion made by Councilman Ferguson and seconded by Councilman Jones, the Council voted four (4) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

**Public Hearing: Consideration of Ordinance
No. 4322-10-2016 (Z) Granting a Zone
Change Request From Office District (OD)
to Old Town Mixed Use Two District
(OTMU2), on a 0.450-Acre Tract of Land out
of the J. W. King Survey, Abstract No. 696;
Located on the West Side of Herod Street
Approximately 200 Feet North of West Main
Street, at 119 Herod Street, as Requested by
119 Herod, LLC, the Property Owner (Case
No. PZ-2016-09-22)**

(Agenda Item E-3)

The applicant recently purchased the subject property which had been used as a residence by the previous owner until a few years ago and has since been demolished. The Old Town Master Plan recommends OTMU1 District zoning for this site. The OTMU2 District is broader in scope, allowing retail and service uses in addition to office uses, while also allowing the residential component that the OTMU1 District allows. The proximity of the site to new restaurant under construction, the adjacent bank, West Main Street and the growing entertainment district makes a strong case for rezoning to OTMU2 versus OTMU1. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of September 6, 2016.

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

Mayor Pro Tem TJ Gilmore opened the public hearing.

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

MOTION: Upon a motion made by Councilman Daniels and seconded by Councilman Jones, the Council voted four (4) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

Public Hearing: Consideration of Ordinance No. 4322-10-2016 (Z) Granting a Zone Change Request From Office District (OD) to Old Town Mixed Use Two District (OTMU2), on a 0.450-Acre Tract of Land out of the J. W. King Survey, Abstract No. 696; Located on the West Side of Herod Street Approximately 200 Feet North of West Main Street, at 119 Herod Street, as Requested by 119 Herod, LLC, the Property Owner (Case No. PZ-2016-09-22) (cont'd)

(Agenda Item E-3)

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

“An Ordinance of the Lewisville City Council, Amending the Zoning Ordinance by Rezoning Approximately 0.450 Acres out of the J.W. King Survey, Abstract No. 696, Located on the West Side of Herod Street Approximately 200 Feet North of West Main Street, at 119 Herod Street; From Office District (OD) Zoning to Old Town Mixed Use Two District (OTMU2) Zoning; Correcting the Official Zoning Map; Preserving all Other Portions of the Zoning Ordinance; Determining That the Public Interests and General Welfare Demand This Zoning Change and Amendment Therein Made; Providing for a Repealer, Severability, and a Penalty; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Daniels and seconded by Councilman Ferguson, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4322-10-2016 (Z)**, as previously captioned. The motion carried.

Public Hearing: Consideration of Ordinance No. 4323-10-2016 (Z) Granting a Zone Change Request From Light Industrial District (LI) Zoning to Old Town Mixed Use Two District (OTMU2) Zoning, on 0.2132 Acres Legally Described as Lot 5, Block A, H. D. Williams Addition, Located on the Northeast Corner of North Kealy Avenue and East Walters Street, at 308 North Kealy Avenue; as Requested by Hector Morales, on Behalf of Amy Sadeghian, Trustee of the Kamy Real Estate Trust, the Property Owner (Case No. PZ-2016-09-23)

(Agenda Item E-4)

The existing residence on this property was built in 1970 and, like other parts of Old Town with residential structures, was rezoned to a commercial designation, even though it was being used as a residence. The applicant is proposing to purchase the property and would like to rezone it to OTMU2 to continue using it as a residence and be able to add a residential storage building onto the property. The request complies with the Old Town Master Plan zoning recommendations. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of October 4, 2016.

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

Mayor Pro Tem TJ Gilmore opened the public hearing.

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

MOTION: Upon a motion made by Councilman Ferguson and seconded by Councilman Jones, the Council voted four (4) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

Public Hearing: Consideration of Ordinance No. 4323-10-2016 (Z) Granting a Zone Change Request From Light Industrial District (LI) Zoning to Old Town Mixed Use Two District (OTMU2) Zoning, on 0.2132 Acres Legally Described as Lot 5, Block A, H. D. Williams Addition, Located on the Northeast Corner of North Kealy Avenue and East Walters Street, at 308 North Kealy Avenue; as Requested by Hector Morales, on Behalf of Amy Sadeghian, Trustee of the Kamy Real Estate Trust, the Property Owner (Case No. PZ-2016-09-23) (cont'd)

(Agenda Item E-4)

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

“An Ordinance of the Lewisville City Council, Amending the Zoning Ordinance by Rezoning Approximately 0.2132 Acres Legally Described as Lot 5, Block A, H.D. Williams Addition, Located on the Northeast Corner of North Kealy Avenue and East Walters Street, at 308 North Kealy Avenue; From Light Industrial District (LI) Zoning to Old Town Mixed Use Two District (OTMU2) Zoning; Correcting the Official Zoning Map; Preserving all Other Portions of the Zoning Ordinance; Determining That the Public Interests and General Welfare Demand This Zoning Change and Amendment Therein Made; Providing for a Repealer, Severability, and a Penalty; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Ferguson and seconded by Councilman Jones, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4323-10-2016 (Z)**, as previously captioned. The motion carried.

Public Hearing: Consideration of Ordinance No. 4324-10-2016 (Z) Granting a Zone Change Request From Light Industrial District (LI) to Old Town Mixed Use Two District (OTMU2) on 0.517 Acres Legally Described as a Portion of Lot 7, and all of Lots 8, 9 and 10, Block 7, Kealy Addition, Located on the Northwest Corner of East Church Street and Harris Street, at 219 and 231 East Church Street; as Requested by Robert Gavitt, on Behalf of Les Moore Construction Inc., the Property Owner (Case No. PZ-2016-09-24)

(Agenda Item E-5)

The subject property is currently vacant. The applicant has expressed an interest in development of the property for a Domino's Pizza restaurant which will include a limited seating area. The request complies with the Old Town Master Plan zoning recommendations. The Planning and Zoning Commission recommended unanimous approval (5-0) of the zone change request at their meeting of September 20, 2016.

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

Mayor Pro Tem TJ Gilmore opened the public hearing.

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

MOTION: Upon a motion made by Councilman Daniels and seconded by Councilman Jones, the Council voted four (4) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

Public Hearing: Consideration of Ordinance No. 4324-10-2016 (Z) Granting a Zone Change Request From Light Industrial District (LI) to Old Town Mixed Use Two District (OTMU2) on 0.517 Acres Legally Described as a Portion of Lot 7, and all of Lots 8, 9 and 10, Block 7, Kealy Addition, Located on the Northwest Corner of East Church Street and Harris Street, at 219 and 231 East Church Street; as Requested by Robert Gavitt, on Behalf of Les Moore Construction Inc., the Property Owner (Case No. PZ-2016-09-24) (cont'd)

(Agenda Item E-5)

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

“An Ordinance of the Lewisville City Council, Amending the Zoning Ordinance by Rezoning Approximately 0.517 Acres Legally Described as a Portion of Lot 7 and all of Lots 8, 9 and 10, Block 7, Kealy Addition, Located on the Northwest Corner of East Church Street and Harris Street, at 219 and 231 East Church Street; From Light Industrial District (LI) Zoning to Old Town Mixed Use Two District (OTMU2) Zoning; Correcting the Official Zoning Map; Preserving all Other Portions of the Zoning Ordinance; Determining That the Public Interests and General Welfare Demand This Zoning Change and Amendment Therein Made; Providing for a Repealer, Severability, and a Penalty; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Ferguson and seconded by Councilman Jones, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4324-10-2016 (Z)**, as previously captioned. The motion carried.

Public Hearing: Consideration of Ordinance No. 4325-10-2016 (Z) Granting a Zone Change Request From Office District (OD) to Single Family Residential District (R-7.5); on a 0.309 Acres Legally Described as Lot 3, Block E, Hivue Addition; Located on the North Side of Millican Drive Approximately 150 East of North Stemmons Freeway, at 721 Millican Drive; as Requested by Joseph Ungeheier, the Property Owner (Case No. PZ-2016-10-26)

(Agenda Item E-6)

The current residence on this property was built in 1960 and the site was originally zoned Single-Family Residential (R-7.5). The property later gained a corner clip of General Business (GB) from a City-initiated zone change along the I-35E corridor. In 2000, the property was rezoned to Office District (OD) but was never redeveloped into an office use. The request for Single-Family R-7.5 is simply restoring the original zoning to the property and would allow the owner to make residential improvements to the property as allowed by city ordinances. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of October 4, 2016.

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

Mayor Pro Tem TJ Gilmore opened the public hearing.

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

MOTION: Upon a motion made by Councilman Daniels and seconded by Councilman Ferguson, the Council voted four (4) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

Public Hearing: Consideration of Ordinance No. 4325-10-2016 (Z) Granting a Zone Change Request From Office District (OD) to Single Family Residential District (R-7.5); on a 0.309 Acres Legally Described as Lot 3, Block E, Hivue Addition; Located on the North Side of Millican Drive Approximately 150 East of North Stemmons Freeway, at 721 Millican Drive; as Requested by Joseph Ungeheier, the Property Owner (Case No. PZ-2016-10-26) (cont'd)

(Agenda Item E-6)

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

“An Ordinance of the Lewisville City Council, Amending the Zoning Ordinance by Rezoning Approximately 0.309 Acres Legally Described as Lot 3, Block E, Hivue Addition, Located on the North Side of Millican Drive Approximately 150 Feet East of North Stemmons Freeway, at 721 Millican Drive; From Office District (OD) Zoning to Single Family Residential District (R-7.5) Zoning; Correcting the Official Zoning Map; Preserving all Other Portions of the Zoning Ordinance; Determining That the Public Interests and General Welfare Demand This Zoning Change and Amendment Therein Made; Providing for a Repealer, Severability, and a Penalty; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Daniels and seconded by Councilman Ferguson, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4325-10-2016 (Z)**, as previously captioned. The motion carried.

Councilman Daniels adjourned the regular session of the Lewisville City Council into Closed Session at 8:30 p.m. Monday, October 17, 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 551.071 (Consultation with Attorney), the Lewisville City Council convened into Closed Session at 7:21 p.m. on Monday, October 17, 2016, City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

The Closed Session was adjourned at 7:30 p.m. on Monday, October 17, 2016.

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

(Agenda Item K)

Councilman Daniels reconvened the Regular Session of the Lewisville City Council at 7:30 p.m. on Monday, October 17, 2016, in the Council Chambers of the Lewisville City Hall.

Councilman Daniels 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.

Councilman Jones advised that he would be abstaining from discussion and consideration of the following item as his wife is employed by Farmers Branch. The appropriate Conflict of Interest Affidavit had been filled out and filed with the City Secretary. Councilman Jones stepped away from the dais.

Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Agricultural Open-Space District (AO), Light Industrial District (LI) and Specific Use – Landfill Operations District (SU – Landfill Operations) to Specific Use – Landfill Operations and Accessory Uses District (SU – Landfill Operations and Accessory Uses); With Seven Associated Variances, on Approximately 470 Acres Situated in the P.O. Leary Survey, Abstract No. 974; A.J. Chowning Survey, Abstract No. 1638; P. Higgins Survey, Abstract No. 525; H. Harper Survey, Abstract No. 605; and the S. M. Hayden Survey, Abstract No. 537; Generally Located at the Southern Terminus of Huffines Boulevard and South of the Future Extension of East Corporate Drive, at 580 Huffines Boulevard; as Requested by Jason Edwards of Weaver Consultants Group, LLC on Behalf of the City of Farmers Branch and Camelot Landfill TC, LP, the Property Owners (Case No. PZ-2016-09-27)

(Agenda Item E-7)

The Camelot Landfill has been owned by the City of Farmers Branch since 1978. In 2009, the City of Farmers Branch received zoning and platting approval for the current landfill. This request would expand the landfill property by approximately 120 acres with the actual landfill footprint expanding approximately 38 acres. The application also incorporates the new maximum height of the landfill not to exceed an elevation of 675 feet, which would extend the lifespan of the landfill approximately 40 years. The seven variances for consideration are: a) to allow overhead electrical lines to the existing methane gas facility and proposed temporary employee breakroom; b) to allow metal or wood sided buildings for the existing methane gas facility, proposed temporary employee breakroom and existing temporary equipment storage building; c) to allow the existing portable restrooms to remain in lieu of connecting to sanitary sewer until construction of the proposed entrance facilities and office /maintenance building are complete; d) to allow portable buildings without fixed foundations; e) to waive the interior landscaping and irrigation for temporary and permanent parking areas; f) to allow a dead end waterline that exceeds 600 linear feet until the construction of Corporate Drive; and g) to allow gravel or crushed rock in lieu of asphalt or concrete for the drive surface to access the temporary

Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Agricultural Open-Space District (AO), Light Industrial District (LI) and Specific Use – Landfill Operations District (SU – Landfill Operations) to Specific Use – Landfill Operations and Accessory Uses District (SU – Landfill Operations and Accessory Uses); With Seven Associated Variances, on Approximately 470 Acres etc. (Case No. PZ-2016-09-27) (cont'd)

(Agenda Item E-7)

buildings and the bay doors of the proposed maintenance building. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of October 4, 2016.

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

Councilman Brent Daniels opened the public hearing.

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

Shane Davis, Environmental Services Manager, City of Farmers Branch along with Jason Edwards, Weaver Consultants Group (6420 Southwest Blvd., Ste 200, Fort Worth, Texas) gave a brief presentation and offered to address any questions posed by the City Council.

John Wellage, representing Coyote Ridge Golf Course, Carrollton, Texas, spoke before the City Council in opposition of this item. Mr. Wellage requested that the City Council consider requiring Camelot to install a deodorizing system to alleviate the smell from the landfill.

MOTION: Upon a motion made by Mayor Pro Tem Gilmore and seconded by Councilman Ferguson, the Council voted three (3) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Agricultural Open-Space District (AO), Light Industrial District (LI) and Specific Use – Landfill Operations District (SU – Landfill Operations) to Specific Use – Landfill Operations and Accessory Uses District (SU – Landfill Operations and Accessory Uses); With Seven Associated Variances, on Approximately 470 Acres etc. (Case No. PZ-2016-09-27) (cont'd)

(Agenda Item E-7)

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

“An Ordinance of the Lewisville City Council, Amending the Zoning Ordinance by Rezoning Approximately 470 Acres Situated in the P.O. Leary Survey, Abstract No. 974; A.J. Chowning Survey, Abstract No. 1638; P. Higgins Survey, Abstract No. 525; H. Harper Survey, Abstract No. 605; and the S. M. Hayden Survey, Abstract No. 537, Generally Located at the Southern Terminus of Huffines Boulevard and South of the Future Extension of East Corporate Drive, at 580 Huffines Boulevard; From Agricultural Open Space District (AO) Zoning, Light Industrial District (LI) Zoning and Specific Use – Landfill Operations District (SU – Landfill Operations) Zoning to Specific Use – Landfill Operations and Accessory Uses District (SU – Landfill Operations and Accessory Uses) Zoning; Correcting the Official Zoning Map; Preserving all Other Portions of the Zoning Ordinance; Determining That the Public Interests and General Welfare Demand This Zoning Change and Amendment Therein Made; Providing for a Repealer, Severability, and a Penalty.”

MOTION: Upon a motion made by Mayor Pro Tem Gilmore and seconded by Councilman Ferguson, the Council voted three (3) “ayes” and no (0) “nays” to approve the ordinance, as previously captioned. The motion carried.

Mayor Pro Tem Gilmore indicated that while he did work for Waste Management and would typically recuse himself on anything that may have even the appearance of a conflict, this was an entirely different company and there was not a true conflict. He explained that due to the absence of one City Council Member and another having to abstain, in order ensure this item was handled he had determined it was necessary that he vote on this item.

Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Agricultural Open-Space District (AO), Light Industrial District (LI) and Specific Use – Landfill Operations District (SU – Landfill Operations) to Specific Use – Landfill Operations and Accessory Uses District (SU – Landfill Operations and Accessory Uses); With Seven Associated Variances, on Approximately 470 Acres etc. (Case No. PZ-2016-09-27) (cont'd)

(Agenda Item E-7)

Due to the lack of a 4/5's vote by the Council to adopt the ordinance on an emergency basis, this ordinance will need be read on three separate days to meet the City Charter requirements. This will be the first reading.

(Councilman Jones returned to the dais.)

Public Hearing: Consideration of Ordinance No. 4326-10-2016 (Z) Granting a Zone Change Request From Light Industrial District (LI) to Warehouse District (WH); on 17.007 Acres Legally Described as Lots 1A, 1B, 1C and 2, Kealy Park Addition; Located on the East Side of North Mill Street Approximately 550 Feet South of Valley Ridge Boulevard, at 902 North Mill Street; as Requested by Robert Schneeberg of Gonzalez & Schneeberg, Engineers & Surveyors, Inc. on Behalf of Chris Holmes, Builders FirstSource, the Property Owner (Case No. PZ-2016-09-25)

(Agenda Item E-8)

The 17.007-acre property is located on the east side of North Mill Street, between the DCTA rail line and Prairie Creek. Three of the four existing lots owned by the applicant are developed and contain parking, buildings, lumber sheds and outside storage. The applicant is proposing to expand the current operation to incorporate the remaining parcel to accommodate the increase in demand of lumber sales and requires Warehouse zoning as a first step to accommodate the additional outside storage. The Planning and Zoning Commission recommended unanimous approval (5-0) of the zone change request at their meeting of September 20, 2016.

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

Councilman Brent Daniels opened the public hearing.

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

Robert Schneeberg, Gonzalez & Schneeberg Engineers & Surveyors, Inc., 660 North Central #250, Plano, Texas, was present to respond to any questions posed by the City Council.

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

Public Hearing: Consideration of Ordinance No. 4326-10-2016 (Z) Granting a Zone Change Request From Light Industrial District (LI) to Warehouse District (WH); on 17.007 Acres Legally Described as Lots 1A, 1B, 1C and 2, Kealy Park Addition; Located on the East Side of North Mill Street Approximately 550 Feet South of Valley Ridge Boulevard, at 902 North Mill Street; as Requested by Robert Schneeberg of Gonzalez & Schneeberg, Engineers & Surveyors, Inc. on Behalf of Chris Holmes, Builders FirstSource, the Property Owner (Case No. PZ-2016-09-25)(cont'd)

(Agenda Item E-8)

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

“An Ordinance of the Lewisville City Council, Amending the Zoning Ordinance by Rezoning Approximately 17.007 Acres Legally Described as Lots 1A, 1B, 1C and 2, Kealy Park Addition, Located on the East Side of North Mill Street Approximately 550 Feet South of Valley Ridge Boulevard, at 902 North Mill Street; From Light Industrial District (LI) Zoning to Warehouse District (WH) Zoning; Correcting the Official Zoning Map; Preserving all Other Portions of the Zoning Ordinance; Determining That the Public Interests and General Welfare Demand This Zoning Change and Amendment Therein Made; Providing for a Repealer, Severability, and a Penalty; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Ferguson and seconded by Mayor Pro Tem Gilmore, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4326-10-2016 (Z)**, as previously captioned. The motion carried.

Public Hearing: Consideration of Ordinance No. 4327-10-2016 Granting a Special Use Permit for a Wholesale Establishment with Outside Storage on More Than Ten Percent of the Platted Lot on 17.007 Acres Legally Described as Lots 1A, 1B, 1C and 2, Kealy Park Addition, Located on the East Side of North Mill Street Approximately 550 South of Valley Ridge Boulevard, at 902 North Mill Street; as Requested by Robert Schneeberg of Gonzalez & Schneeberg, Engineers & Surveyors, Inc. on Behalf of Chris Holmes, Builders FirstSource, the Property Owner (Case No. SUP-2016-09-09)

(Agenda Item E-9)

The 17.007-acre property is located on the east side of North Mill Street, between the DCTA rail line and Prairie Creek. The applicant is proposing to expand the current operation to incorporate an undeveloped lot into its current operations to accommodate the increase in demand of lumber sales. The SUP is required for the additional outside storage needed for the business. The SUP for expansion of the existing operation provides significant improvements to the building exterior, substantial landscaping and effective screening in addition to improved access to and from the site. On September 20, 2016, the Planning and Zoning Commission recommended unanimous approval (5-0) of the SUP.

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

Councilman Brent Daniels opened the public hearing.

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

Robert Schneeberg, Gonzalez & Schneeberg Engineers & Surveyors, Inc., 660 North Central #250, Plano, Texas, was present to respond to any questions posed by the City Council.

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

Public Hearing: Consideration of Ordinance No. 4327-10-2016 Granting a Special Use Permit for a Wholesale Establishment with Outside Storage on More Than Ten Percent of the Platted Lot on 17.007 Acres Legally Described as Lots 1A, 1B, 1C and 2, Kealy Park Addition, Located on the East Side of North Mill Street Approximately 550 South of Valley Ridge Boulevard, at 902 North Mill Street; as Requested by Robert Schneeberg of Gonzalez & Schneeberg, Engineers & Surveyors, Inc. on Behalf of Chris Holmes, Builders FirstSource, the Property Owner (Case No. SUP-2016-09-09) (cont'd)

(Agenda Item E-9)

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

“An Ordinance of the Lewisville City Council, Amending the Zoning Ordinance by Granting a Special Use Permit for a Wholesale Establishment With Outside Storage on More Than Ten Percent of the Platted Lot on Approximately 17.007 Acres Legally Described as Lots 1A, 1B, 1C and 2, Kealy Park Addition, Located on the East Side of North Mill Street Approximately 550 Feet South of Valley Ridge Boulevard at 902 North Mill Street and Zoned Warehouse District (WH); Providing for a Repealer, Severability, and a Penalty; and Declaring an Emergency.”

MOTION: Upon a motion made by Mayor Pro Tem Gilmore and seconded by Councilman Jones, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4327-10-2016**, as previously captioned. The motion carried.

**Public Hearing: Consideration of Deeming
Substandard a Single Family Dwelling
Located at 729 Red Wing Drive,
Timberbrook 4 Subdivision, Block A, Lot 2,
Lewisville, Texas**

(Agenda Item E-10)

On October 18, 2015, a two-alarm fire substantially damaged a single family residence located at 729 Red Wing Drive. The Building Official has determined that the structure is substandard. The Lewisville City Code requires that a public hearing be held in order for the City Council to deem the structure substandard. The owner of record is Melva J. McFerren, who is deceased. Current owners are Patricia and Patrick Malone. All required notifications have been given and procedures have been followed by the City.

The City staff's recommendation was that the City Council deem the single family structure substandard as set forth in the caption above.

Councilman Brent Daniels opened the public hearing.

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

Councilman Daniels advised that Patricia and Patrick Malone, 1804 Morning Mist Trail, Flower Mound, Texas, had submitted a card to speak in opposition of this item. Mr. and Ms. Malone indicated that after speaking with Director of Neighborhood Services Cleve Joiner they were no longer in opposition.

Councilman Daniels advised that JoAnn Marotti, 749 Red Wing Drive, Lewisville, Texas had submitted a card indicating her support of this item; however she did not wish to speak.

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

MOTION: Upon a motion made by Councilman Jones and seconded by Mayor Pro Tem Gilmore, the Council voted four (4) "ayes" and no (0) "nays" to deem substandard a single family dwelling located at 729 Red Wing Drive, Timberbrook 4 Subdivision, Block A, Lot 2, Lewisville, Texas. The motion carried.

**Public Hearing: Consideration of Deeming
Substandard a Single Family Dwelling
Located at 401 Village Drive, Serendipity
Village Subdivision Block E, Lot 1**

(Agenda Item E-11)

On September 17, 2015, a two-alarm fire substantially damaged a single family residence located at 401 Village Drive. The Building Official has deemed the structure substandard. The Lewisville City Code requires that a public hearing be held in order for City Council to deem the structure as substandard. The owner of record is Mark Kelly. All required notifications have been given and procedures have been followed by the City.

The City staff's recommendation was that the City Council deem the single family structure substandard as set forth in the caption above.

Councilman Brent Daniels opened the public hearing.

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

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

MOTION: Upon a motion made by Mayor Pro Tem Gilmore and seconded by Councilman Jones, the Council voted four (4) "ayes" and no (0) "nays" to deem substandard a single family dwelling located at 401 Village Drive, Serendipity Village Subdivision Block E, Lot 1. The motion carried.

**Public Hearing: Consideration of Deeming
Substandard a Single Family Dwelling
Located at 810 Foxwood Place, Serendipity
Village Subdivision, Block 5, Lot 23,
Lewisville, Texas**

(Agenda Item E-12)

On November 26, 2014, a two-alarm fire substantially damaged a single family residence located at 810 Foxwood Place. The Building Official has deemed the single family structure to be substandard. The Lewisville City Code requires that a public hearing be held in order for City Council to deem the structure as substandard. The owners of record are Brad and Cara Gill and Nancy and David Koehring. All required notifications have been given and procedures have been followed by the City.

**Public Hearing: Consideration of Deeming
Substandard a Single Family Dwelling
Located at 810 Foxwood Place, Serendipity
Village Subdivision, Block 5, Lot 23,
Lewisville, Texas (cont'd)**

(Agenda Item E-12)

The City staff's recommendation was that the City Council deem the single family structure substandard as set forth in the caption above.

Councilman Brent Daniels opened the public hearing.

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

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

MOTION: Upon a motion made by Councilman Jones and seconded by Councilman Ferguson, the Council voted four (4) "ayes" and no (0) "nays" to deem substandard a single family dwelling located at 810 Foxwood Place, Serendipity Village Subdivision, Block 5, Lot 23, Lewisville, Texas. The motion carried.

Visitors/Citizens Forum

(Agenda Item F)

Robert Troyer, 1738 Sterling Lane, Lewisville, Texas, spoke before the City Council on behalf of the Morning and Noon Rotary Clubs to advise of their work on Polio Awareness and their upcoming events.

No one else appeared to speak at this time.

City Attorney Lizbeth Plaster advised that it had come to her attention that a speaker on Public Hearing E-10 had inadvertently not been called to speak. She requested that a motion be made to re-open this Public Hearing.

MOTION: Upon a motion made by Mayor Pro Tem Gilmore and seconded by Councilman Ferguson, the Council voted four (4) "ayes" and no (0) "nays" to re-open Public Hearing E-10. The motion carried.

**Public Hearing: Consideration of Deeming
Substandard a Single Family Dwelling
Located at 729 Red Wing Drive,
Timberbrook 4 Subdivision, Block A, Lot 2,
Lewisville, Texas**

(Agenda Item E-10)

On October 18, 2015, a two-alarm fire substantially damaged a single family residence located at 729 Red Wing Drive. The Building Official has determined that the structure is substandard. The Lewisville City Code requires that a public hearing be held in order for the City Council to deem the structure substandard. The owner of record is Melva J. McFerren, who is deceased. Current owners are Patricia and Patrick Malone. All required notifications have been given and procedures have been followed by the City.

The City staff's recommendation was that the City Council deem the single family structure substandard as set forth in the caption above.

Councilman Daniels re-opened the public hearing.

Jennifer Chacko, Attorney, representing Bank of America and Deatshe Bank, 4004 Belt Line Road, Ste 100, Addison, Texas spoke before the City Council explaining that an Administrator had been appointed on this property and settlement proceeds had been received to pay off the note; however, additional time was needed for Bank of America to determine who needed to endorse the check to complete the payoff. Discussion was held that this property was currently in pending foreclosure and a probate had been open. At City Council questioning Ms. Chacko advised that her projected timeline was hopefully the next 30 days; however, could take more time. Further discussion was held on the City being notified when the process had been completed. Ms. Chacko advised that worst case scenario this property would have to go through the foreclosure process if the check was not able to be endorsed.

Patricia and Patrick Malone, 1804 Morning Mist Trail, Flower Mound, Texas, spoke before the City Council and indicated they had been working to get to this point for months and months; in addition they now had someone that was interested in purchasing this property and demolishing the home, they just needed an extension to be able to conclude the legal quagmire and probate issue with the bank and getting it all settled. Ms. Malone requested that the City Council consider allowing an extension of time.

**Public Hearing: Consideration of Deeming
Substandard a Single Family Dwelling
Located at 729 Red Wing Drive,
Timberbrook 4 Subdivision, Block A, Lot 2,
Lewisville, Texas**

(Agenda Item E-10)

Discussion was held that the law only allowed for 90 days once a structure was deemed substandard to be demolished. Councilman Ferguson expressed his concern that foreclosure was unpredictable and he did not want to see a burnout sit on the ground any longer than it had to; however, he did want to consider all the moving parts and allow for the resolution that was trying to be worked toward. He further advised that he would like to set aside action and have more investigative work done to establish a work out plan in detail and that everyone understand that there is a level of feet to the fire, expectation.

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

Councilman Ferguson made a motion to set aside the vote previously made on this item until further discussion can occur between the City staff and parties involved in ongoing action with this property and bring this back to City Council within a 60 day window. Discussion was held regarding what timeframe was needed to allow this process to continue until it was returned for City Council consideration and the concern regarding the 90 day demolition required by law. Councilman Ferguson withdrew his motion based upon the discussion presented.

MOTION: Upon a motion made by Councilman Ferguson and seconded by Mayor Pro Tem Gilmore, the Council voted four (4) “ayes” and no (0) “nays” to set aside the action previously made on this item to deem Substandard a Single Family Dwelling located at 729 Red Wing Drive, Timberbrook 4 Subdivision, Block A, Lot 2, Lewisville, Texas, and scheduled to reopen the public hearing on **December 19, 2016. . The motion carried.**

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 14 - Approval of a First Amendment to Agreement By and Between City of Lewisville, Texas and City of Farmers Branch, Texas Regarding the Expansion of the Camelot Landfill.

CONSENT AGENDA (cont'd)

(Agenda Item G)

2. Consent Agenda Item No. 15 – Approval of a Resolution Approving the Major Permit Amendment Application, Revised August 2016, for Camelot Landfill, TCEQ Permit No. MSW-1312B

MOTION: Upon a motion made by Councilman Ferguson and seconded by Mayor Pro Tem Gilmore, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt all remaining items on the Consent Agenda, as recommended and as follows:

13. APPROVAL OF MINUTES: City Council Minutes of the October 3, 2016, Workshop Session and Regular Session.
16. Approval of an Award for the Lewisville Raw Water Intake Electrical Improvements to Russell Madden, Inc., Aubrey Texas, in the Amount of \$218,001; and Authorization for the City Manager to Execute the Contract.
17. Approval of a Wholesale Untreated Water Purchase Contract Between the City of Dallas and City of Lewisville; and Authorization for the City Manager or Her Designee to Execute the Contract.
18. Approval of a Memorandum of Understanding (MOU) for an Interlocal Agreement Among the Cities of Lewisville, Highland Village, The Colony and the Town of Flower Mound for the Shared Use of 3D Scanning Devices Purchased With Grant Funds by the City of Lewisville; and Authorization for the City Manager or her Designee to Execute the Agreement.
19. Approval of a Memorandum of Understanding (MOU)/Release of Liability Agreement Between the City of Lewisville and Denton County Allowing Use of Vacant Buildings; and Authorizing the Mayor to Execute the Agreement.
20. Approval of Resolution No. 4328-10-2016 (R) for Financing by the Woodloch Health Facilities Development Corporation of a Health Facility Located Within Lewisville, Texas for Senior Care Living VII, LLC.

CONSENT AGENDA (cont'd)

(Agenda Item G)

21. Approval of Resolution No. 4329-10-2016 (R) 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 Neighborhood Services Department and the Public Services Department for FY 2016-2017; and Authorization for City Officials to Execute the Agreements.
22. Approval of Excusing Deputy Mayor Pro Tem Vaughn From Attendance at the City Council Meetings Held on September 12th, September 19th, and October 3, 2016.
23. Acceptance of a 4.308 Acre Tract of Land in the Russell Craft Survey, Abstract No. 255; Located on the North-Bound Access Road of I-35 Between Millican Drive and Valley Ridge Boulevard; Being Donated to the City of Lewisville, Texas by Deed From TAT Lewisville I-35, LLC.

The motion carried.

END OF CONSENT AGENDA

Councilman Jones advised that he would be abstaining from discussion and consideration of the following two items (Consent Agenda Item G-14 and G-15) as his wife is employed by Farmers Branch. The appropriate Conflict of Interest Affidavit had been filled out and filed with the City Secretary. Councilman Jones stepped away from the dais.

Approval of a First Amendment to Agreement By and Between City of Lewisville, Texas and City of Farmers Branch, Texas Regarding the Expansion of the Camelot Landfill

(Consent Agenda Item G-14)

Farmers Branch requests consideration of an amendment to the existing agreement between Lewisville and Farmers Branch relating to the Camelot Landfill, which was signed on January 6, 2016. Specifically, Farmers Branch requests that in lieu of strict compliance with the tree mitigation regulations, Camelot Landfill would allow Lewisville residents free disposal of solid waste at the Landfill without charge one day per calendar month. Such rights would begin following the closure of the DFW Recycling and Disposal Facility--the landfill that currently provides this service to Lewisville residents. Farmers Branch has also requested that it be allowed to retain road escrow funds relating to the construction of Huffines Boulevard until such time as the funds are needed to pay for the construction of the Huffines Extension.

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

MOTION: Upon a motion made by Councilman Daniels and seconded by Councilman Ferguson, the Council voted three (3) "ayes" and no (0) "nays" to approve a First Amendment to Agreement By and Between City of Lewisville, Texas and City of Farmers Branch, Texas regarding the expansion of the Camelot Landfill. The motion carried.

(Councilman Jones abstains from the following item.)

Approval of Resolution No. 4330-10-2016 (R)
of the City Council of the City of Lewisville,
Texas, Approving the Major Permit
Amendment Application, Revised August
2016, for Camelot Landfill, TCEQ Permit
No. MSW-1312B

(Consent Agenda Item G-15)

Section 361.1231 of the Texas Health & Safety Code provides, in part, that the TCEQ may not approve an application for the issuance, amendment, or renewal of a permit that seeks to expand the area or capacity of a landfill unless the governing body of the municipality in which the landfill is located first approves by resolution or order the issuance, amendment, or renewal of the permit. Staff has reviewed the above-referenced amendment application and is satisfied that it meets the requirements of the settlement agreement entered into with the City of Farmers Branch on January 6, 2016.

The City staff's recommendation was that the City Council adopt the proposed resolution as set forth in the caption above.

MOTION: Upon a motion made by Councilman Ferguson and seconded by Councilman Daniels, the Council voted three (3) "ayes" and no (0) "nays" to approve and adopt **Resolution No. 4330-10-2016 (R)** of the City Council of the City of Lewisville, Texas, Approving the Major Permit Amendment Application, Revised August 2016, for Camelot Landfill, TCEQ Permit No. MSW-1312B. The motion carried.

(Councilman Jones returned to the dais.)

Consideration of Two Variances to the Lewisville City Code Section 6-103 (Access Management) Regarding Deceleration Lane and Driveway Spacing Requirements Related to the La Quinta Located at 1657 South Stemmons Freeway, as Requested by Kevin Patel, Triangle Engineering, LLC, on Behalf of the Owner

(Agenda Item H-24)

The subject site is a 2.947-acre lot zoned Light Industrial (LI) within the La Quinta Addition. The property owner is proposing to build a new four-story hotel with 129 rooms at this location in full compliance with the City's hotel requirements. Texas Department of Transportation (TxDOT) has acquired right-of-way along the IH-35E frontage of this property for its future needs which caused the previous development, hotel and restaurant, to be demolished. Staff has reviewed and approved the engineering site plan for La Quinta subject to the City Council approval of the two variances: a) to waive the deceleration lane requirement along IH-35E and b) to allow driveway spacing less than 230' along IH-35E.

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

Jeff Kelly, P.E., Assistant City Engineer, was present to respond to any questions posed by the City Council.

MOTION: Upon a motion made by Mayor Pro Tem Gilmore and seconded by Councilman Ferguson, the Council voted four (4) "ayes" and no (0) "nays" to approve the following two variances to the Lewisville City Code Section 6-103 (Access Management) Regarding Deceleration Lane and Driveway Spacing Requirements related to the La Quinta Located at 1657 South Stemmons Freeway: a) to waive the deceleration lane requirement along IH-35E and b) to allow driveway spacing less than 230' along IH-35E, as requested by Kevin Patel, Triangle Engineering, LLC, on Behalf of the Owner. The motion carried.

Consideration of Ordinance No. 4331-10-2016 of the Lewisville City Council Amending Chapter 16, Utilities, Article IX, Municipal Setting Designations, of the Lewisville City Code by Repealing and Replacing Article IX in its Entirety; Providing for Severability; Providing a Penalty; Providing an Effective Date; and Declaring an Emergency

(Agenda Item H-25)

In February 2015, City Council approved Ordinance No. 4158-02-2015 regarding the process for establishing Municipal Setting Designations (MSD) on properties with contaminated groundwater. Subsequent to Council approval of this ordinance, the City received and processed two MSD applications, which were approved by Council in late 2015. Staff members involved in MSD application review determined that the process for reviewing, meeting with applicants, conducting public meetings and public hearings, and seeking Council approval for site specific MSDs needed revision to allow staff more time to conduct its review and data gathering. As a result, the ordinance has been revised to extend the timeframes associated with application review and public input. Additionally, the ordinance was revised to include additional pertinent definitions and required information to enhance staff's ability to make recommendations concerning MSD applications in the future.

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

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

“An Ordinance of the Lewisville City Council Amending Chapter 16, Utilities, Article IX, Municipal Setting Designations, of the Lewisville City Code by Repealing and Replacing Article IX in its Entirety; Providing for Severability; Providing a Penalty; Providing an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Jones and seconded by Councilman Daniels, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4331-10-2016**, as captioned previously. The motion carried.

Reports

(Agenda Item I)

- PALS Recreation Manager Hilary Boen gave an update on upcoming events for the Parks and Leisure Services Department.
- Police Chief Russ Kerbow advised of the recently held Battle of the Badge and upcoming Coffee With Cops event.
- Director of Public Services Keith Marvin advised that the lake was currently six inches below conservation.
- Councilman Daniels advised of the upcoming Keep Lewisville Beautiful events and the Make a Difference Day scheduled for LISDOLA.
- Mayor Pro Tem Gilmore congratulated Paul Holcomb for being selected for a second tour as the City's Poet Laureate.
- Mayor Pro Tem Gilmore advised of that the MCL Grand was having a Christmas Art Show and anyone interested in selling their art can check for information on the City's website.
- Assistant City Manager Eric Ferris advised of the LHS Homecoming Parade on Wednesday, November 19th. – City Manager Donna Barron advised that Mr. Ferris had been selected as his year's LHS Outstanding Alumni and would be riding in the parade.
- Mayor Durham encouraged everyone to be careful with Halloween coming up and the kids out in the neighborhoods and all the upcoming events.
- Councilman Ferguson congratulated the Police Department on their win at the Battle of the Badge. He then reviewed the upcoming events at the MCL Grand Theatre.
- Councilman Ferguson advised of Mayor Pro Tem Gilmore and his attendance at the recently held Annual TML Conference and the educational opportunities this provides for the City.
- City Manager Donna Barron recognized the Fire Department for their Open House that is held every year and for the participation from the Police Department.
- Mayor Durham thanked the Police Officers in attendance for their service to the community as well as the rest of the City team.

There were no additional reports at this time.

Mayor Durham adjourned the regular session of the Lewisville City Council into Closed Session at 8:30 p.m. Monday, October 17, 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 8:30 p.m. on Monday, October 17, 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:

1. Property Acquisition

Section 551.087 (Economic Development):

2. Deliberation Regarding Economic Development for Potential Company Relocation.

The Closed Session was adjourned at 8:49 p.m. on Monday, October 17, 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 8:49 p.m. on Monday, October 17, 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.

MOTION: Upon a motion made by Councilman Ferguson and seconded by Mayor Pro Tem Gilmore, the Council voted four (4) “ayes” and no (0) “nays” to authorize the City Manager or her designee to sign all documents necessary to purchase the approximately .623 acres located at 247 West Main Street, in Lewisville, Denton County, Texas. The motion carried.

MOTION: Upon a motion made by Councilman Daniels and seconded by Councilman Jones, the Council voted four (4) “ayes” and no (0) “nays” to authorize the City Manager or her designee to sign all documents necessary to purchase the approximately 5.4892 acres identified by Denton Central Appraisal District Property ID numbers 12460, 12466, 12462, 12469, 12477, 12479, 12478, 84522, 12481, 12434, 12437, and 12440, all in Lewisville, Denton County, Texas. The motion carried.

There was no additional action taken on the items discussed during the Closed Session.

Adjournment

(Agenda Item L)

MOTION: Upon a motion made by Councilman Ferguson and seconded by Mayor Pro Tem Gilmore, the Council voted four (4) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lewisville City Council at 8:51 p.m. on Monday, October 17, 2016. The motion carried.

These minutes approved by the Lewisville City Council on the 7th day of November, 2016.

APPROVED

Rudy Durham
MAYOR

ATTEST:

Julie Heinze
CITY SECRETARY

LEWISVILLE PUBLIC LIBRARY



October 2016

LIBRARY OVERVIEW

Library Vision, Mission, Purpose

2

Vision

A Vibrant Center for Education and Culture in Our Community.

Mission

The Lewisville Public Library delivers equal access to high quality education and technology to all ages.

Purpose

inspire reading | cultivate learning | connect people | partner for success

Accepted by the Library Board, March 2013

What is the future of the Library?

3

- Aspen Institute Dialogue on Public Libraries, Rising to the Challenge: Re-Envisioning Public Libraries, Washington, D.C.: The Aspen Institute, October 2014 – [Link to report](#)
- Library Staff and the Library Board have been working with the Aspen Institute's Action Guide in order to evaluate current services and develop action steps
- Community needs continue to change
 - The Lewisville Library can be at the center of these changes as a trusting and welcoming public institution
 - Provide a platform for learning, creativity and innovation
 - Help sustain the educational, economic and civic health of the community

Key assets of Public Libraries

4

□ People

- ▣ Librarians are actively engaged with the community and connect citizens with local and national resources as well as facilitate learning

□ Place

- ▣ The Library's public space welcomes people for a wide range of purposes – reading, learning, playing, meeting, socializing and more.

□ Platform

- ▣ A variety of tools, resources and programming can facilitate opportunities for individuals and groups

Library Facility

5

- 1197 W. Main Street has been the Lewisville Library's location since 1989.
- February 2017 will mark the 10 year anniversary of the Library renovation and expansion. This expansion was accomplished with 4B sales tax. No personnel were added with the expansion.



East Entrance

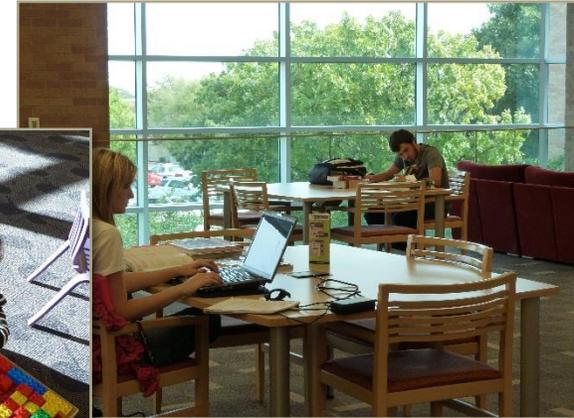
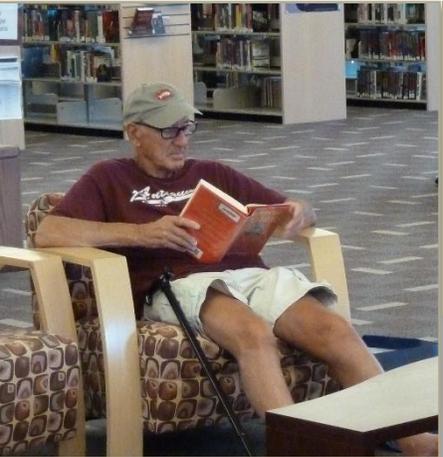


West Entrance (off Civic Circle)

Enjoy a Community Gathering Space

6

With study tables, study rooms, meeting rooms, and comfortable seating areas, the Lewisville Public Library is a hub of community activity.



- Information Desk and patron computers were recently rearranged to allow more choice for patrons, improved line of sight and improved security and customer service by moving two service desks closer together.
- Meeting room policies now allow for advance reservations.

The Library as a Place

7

- Funds have been allocated to expand the Bennett Program Room
 - ▣ will allow for a more flexible space for programs and more attendance
- PALS and the Library are collaborating on adding outdoor seating and a bike fixit station.
- A 16/17 action step will improve meeting rooms with the addition of mounted projectors and speakers.

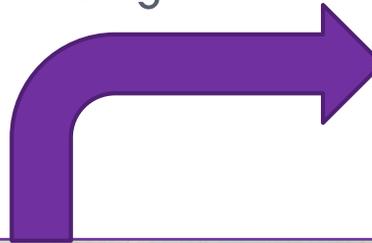


Library Online Presence

<http://library.cityoflewisville.com>

8

The new website will emphasize the physical features of the Library and why citizens want to use the space, emphasizes social media, how to get involved and has improved navigation.



Library Online Presence

<http://lewp.ent.sirsi.net>

9

Migrated to Saas server.

Upgraded to a new catalog.

Integrated eBooks & eAudio.



SirsiDynix e-Library™
Lewisville Public Library -- Where Information Starts and Imaginations Soar

Search for []

words or phrase author title subject series periodical title

Search only Electronic Books

Advanced Search

What Others Are Reading
Hottest title: Rogue lawyer
Hottest author: Patterson, James
Hottest subject: Man-woman relationships--Fiction.
More items

Recommended Reading
Cockbook Awards
Agatha Award (Mystery)
Nebula Award (Science Fiction)
Spur Awards (Western Fiction)
Pulitzer Prize for Fiction
More recommended reading lists

Best Sellers
New York Times Fiction
New York Times Nonfiction
New York Times Children's Chapter Books - NO LONGER MAINTAINED
Publishers Weekly Fiction
Publishers Weekly Nonfiction
More best seller lists

Hot Sites...
Ramadan starts June 6th - What is Ramadan?
45 Short Novels You Can Read In A Day
National Readathon Day, May 21

Library Info
Contact Us
Children's Classes and Events
Teen Classes and Events
Adult Classes and Events
Library Newsletter
Using the Library

Go Back Help Logout

Powered by SirsiDynix

LEWISVILLE PUBLIC LIBRARY

Log In | My Account | My Lists | ILL Request | Hours & Locations | Select Language | ?

Everything | All Fields | Search | Advanced Search

New York Times Best-Seller Lists - Hardcover Fiction

Hours & Location

Using the Library

Classes & Events

- Adults
- Teens
- Children

Electronic Books & Media

Research Tools

Library Newsletter

Classic Catalog

Find us on

Title: **AFTER YOU**
Author: Jojo Moyes
ISBN: 9780525426592
Rank (Last Week): 7 (7)

2x2 Books (age 2 - gr. 2)
Bluebonnet Books (gr. 3-6)
Lone Star Books (gr. 6-8)
Tayshas Books (gr. 9-12)

Find In My Library

ON YOUR MARK
get set
READ
Summer Reading Program 2016

Library Online Presence – FY 16/17



10

- Adding to the existing social media presence with Twitter and Instagram
- Improving the downloadable audiobook collection
- Digital Magazines available now through Zinio
- Building a Spanish Language ebook collection
- Marketing with Library Aware and Novelist Plus to connect readers with library books
- Exploring “Cloudlinking” with area libraries to extend our Cloudlibrary collection



Access Online Resources & Materials

- Downloadable eBooks
- Downloadable Audiobooks
- Streaming movies & music
- Digital Magazines
- Online non-credit CE courses
- Language learning
- Reading recommendations
- Test preparation
- Research & Information databases:
 - *Business, Marketing & Sales*
 - *Legal*
 - *Auto Repair*
 - *Home Improvement*
 - *Small Business*
 - *Job & Career*
 - *Health & Medicine*



Becoming a Maker Library

12

The Lewisville Makerspace will be:

- A place to develop new expertise
- A place to share and work as a team
- A place to explore and experiment
- An open environment that fosters innovation and imagination

Who are makers?

- Self-starters. Creators. Artists. Thinkers. Geeks. Crafters.

We are becoming a maker library because:

- We want to provide richer experiences
- Our community seeks social interaction and development
- Making creates alternative pathways to learning

Becoming a Maker Library

13

- ❑ Library staff have begun the process of integrating elements of making into library programs
- ❑ Began circulating STEM Kits. 20 kits, 10 topics
- ❑ Adding Maker Kits
- ❑ Items in Kits can also be used for outreach and library programs
- ❑ Library staff visiting area maker libraries for ideas and best practices

The Lewisville Library hopes to connect with a vibrant maker community, which will help the Library focus our maker space plans to meet the specific needs of our citizens.



Becoming a Maker Library

14

- After exploring the possibilities and cementing plans and the vision for a Lewisville Makerspace, the Library will develop a staffing plan, request equipment, explore funding and propose reconfigurations to the space within the Library to achieve a
 - ▣ Digital Media Lab upstairs
 - Hardware and software for digital innovation and creativity
 - ▣ Dirty Maker Space downstairs

Equipment could include many things, including:

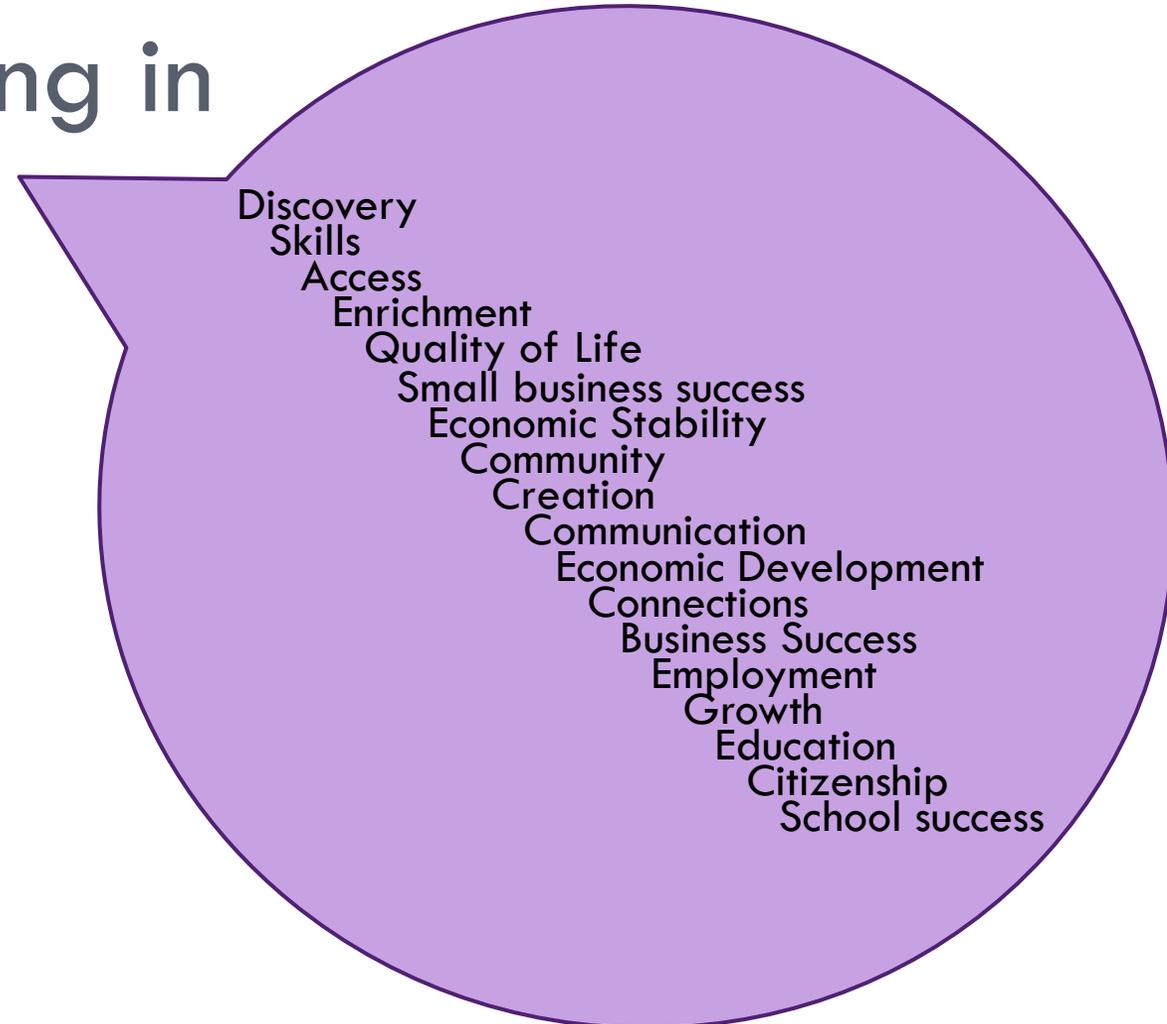
 - Long arm quilter, engraving machine, tools, sewing machines, soldering equipment, woodworking, crafting supplies

Who uses the library?

15

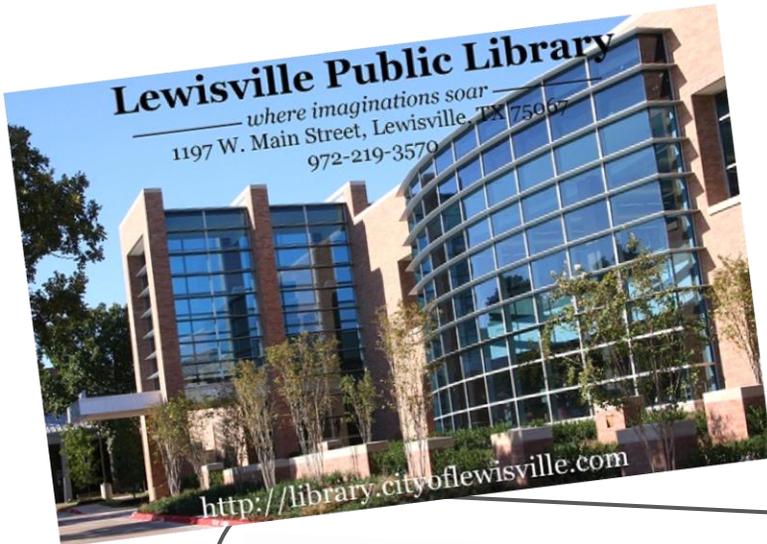
- Students
- Young Families
- Job Seekers
- Technology Users
- ESL Adults/Immigrants
- Self Employed
- Recreational Readers
- Lifelong Learners
- And many more!

Resulting in



What is the Library's reach?

16



□ Library Active Users from July 2015- July 2016

□ To improve the Library's reach into the community:

■ Staff are participating in community events

■ A bilingual librarian will improve services to Spanish speakers in 2017

■ The Library is working to offer student library cards in partnership with LISD



P LPL 00 0000000 0

Cardholder is responsible for all materials borrowed on this card. I release the Library from any liability for damage to personal equipment or software. Parents are responsible for all materials borrowed by children under the age of eighteen.

Signature _____

New Outreach Ideas

17

Mobile City Hall

- Storytimes / Early Literacy Classes
- Computer classes using Library laptops
- Library card sign-up
- Pop Up Library
- Library visits to senior living centers

Entrepreneurial Center

- Librarian led classes
 - ▣ Reference USA - Industry Information
 - ▣ Reference USA -Market Research
 - ▣ Marketing with Social Media
 - ▣ Gale Legal Forms
 - ▣ Small Business Resources
- Business Book Club

Vision 2025 and the Library

□ Employment Centers

- The Library supports job seekers through training, online education, career resources, and access to computers, internet, printing, etc. This year the Library added mobile printing, improved the process for reserving meeting space, added fax and scanning services and plans to lend laptops.

□ Marketing & Communications

- The Library staff actively engage with the community through Facebook, print newsletters, the website, and other city publications. The staff take programs to the community through outreach at schools, retirement homes, events, etc.

□ Sustainability

- The Library is improving materials and programming to educate and inform Lewisville residents about sustainability. This year the Library is circulating STEM and sustainability kits.

What else is out there for the Library?

19

- Digital Outreach
 - ▣ Linked data, geolocation of Library Materials
- Materials Return Sorter
 - ▣ Harnesses existing RFID technology, resulting in reduction of repetitive tasks, quicker return, allows for more customer service rather than back-of-the-house tasks
- Services at the Multi-generational Rec Center
 - ▣ Self-service lending of digital services and registration for a Library card
- More active play in the children's area
 - ▣ Encourages social engagement and pre-school skills



cloudLibrary™
discoveryTerminal