

**MINUTES OF THE REGULAR MEETING OF THE
HIGHLAND VILLAGE CITY COUNCIL
HELD AT THE HIGHLAND VILLAGE MUNICIPAL COMPLEX
LOCATED AT 1000 HIGHLAND VILLAGE ROAD
TUESDAY, SEPTEMBER 12, 2017**

The City Council of the City of Highland Village, Texas met in Early Work Session on the 12th day of September, 2017 prior to the Regular Council Meeting.

Call to Order

Mayor Charlotte J. Wilcox called the meeting to order at 6:00 p.m.

Roll Call

Present:	Charlotte J. Wilcox	Mayor
	Michelle Schwolert	Mayor Pro Tem
	Michael Lombardo	Councilmember
	Barbara Fleming	Deputy Mayor Pro Tem
	Fred Busche	Councilmember
	John McGee	Councilmember
	Daniel Jaworski	Councilmember
Staff Members:	Michael Leavitt	City Manager
	Julie Doshier	City Attorney
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Doug Reim	Police Chief
	Scott Kriston	Public Works Director
	Jana Onstead	Human Resources Director
	Fince Espinoza	Parks Operations & Projects Mgr
	Andra Foreman	Recreation Manager
	Laurie Mullens	Public Affairs Manager
	Andrew Boyd	Media Specialist
	Karen Bradley	Administrative Assistant

EARLY WORK SESSION

1. Discuss Scheduling a City Council Planning Session

City Manager Michael Leavitt stated in looking at the new budget year, he is seeking guidance from Council on some upcoming projects and future policy items:

Solid Waste Collection Contract – the current contract expires in August, 2018
Market City Comparison for Personnel Costs – to remain at mid-point range for salaries
Code Compliance Program – does Council wish to have a program developed
Floodplain Ordinance – should we amend
Remaining Residential Development

Mr. Leavitt suggested holding a planning session with Council on October 28 or November 4. After discussing schedules, the consensus was to schedule the meeting for Saturday, October 28.

2. Discuss Speed Limits in Highland Village

Mr. Leavitt reported Councilmember Jaworski requested this item be discussed. Police Chief Doug Reim presented a short video regarding speed limits in Highland Village and the City's community policing model in regards to traffic enforcement. He also reported on actions taken by the department to address speeding:

- Visible Deterrence (AOR assignments) - reminds people to slow down
- Traffic Stops – the department makes approximately 500 per month; approximately 65% result in a warn; approximately 35% result in a citation
- Investigate Complaints
- Deploy JAMAR – data reported over the past three years show 85% of cars were traveling no more than 5 miles over the speed limit
- Deploy Ghost Cars
- Deploy Police Officers

Councilmember Jaworski asked if the data shows what streets are most problematic. Chief Reim reported it is included. Councilmember Jaworski said he has received emails about speeding in residential areas and voiced there are not enough speed limit signs posted. He also stated something needs to be done about speeding on streets such as Tartan Trail, Highland Shores, and Sellmeyer, perhaps a stronger police presence or more frequent trips by Police in the neighborhoods. He also suggested either increasing education/enforcement efforts or reducing the tolerance level for speeders. Mr. Leavitt and Chief Reim encouraged Councilmembers and residents to contact the police department to report areas or incidents where speeding is a concern.

3. Clarification of Consent or Action Items listed on today's City Council Regular Meeting Agenda of September 12, 2017

No items were discussed.

Early Work Session concluded at 6:36 p.m.

4. Meet and Greet with Board and Commission Applicants

Mayor Wilcox welcomed the applicants and thanked them for their interest in service to the City; Members of Council and City staff were introduced. Council and staff visited with the applicants.

CLOSED SESSION

Council did not meet in Closed Session.

5. Hold a closed meeting in accordance with the following sections of the Texas Government Code:

- (a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)**
- (b) Section 551.074 – Deliberate the Appointment, Removal, Evaluation and Duties of Public Officers, specifically Members of the Planning and Zoning Commission, Zoning Board of Adjustment, Board of Directors of the Highland Village Community Development Corporation, and Board of Directors of the Denton County Transportation Authority**

OPEN SESSION

6. Call to Order

Mayor Charlotte J. Wilcox called the meeting to order at 7:35 p.m.

Roll Call

Present:	Charlotte J. Wilcox	Mayor
	Michelle Schwolert	Mayor Pro Tem
	Michael Lombardo	Councilmember
	Barbara Fleming	Deputy Mayor Pro Tem
	Fred Busche	Councilmember
	John McGee	Councilmember
	Daniel Jaworski	Councilmember
Staff Members:	Michael Leavitt	City Manager
	Julie Doshier	City Attorney
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Doug Reim	Police Chief
	Scott Kriston	Public Works Director
	Jana Onstead	Human Resources Director
	Fince Espinoza	Parks Operations & Projects Mgr
	Laurie Mullens	Public Affairs Manager
	Andrew Boyd	Media Specialist

7. Prayer to be led by Mayor Pro Tem Michelle Schwolert

Mayor Pro Tem Schwolert gave the invocation.

8. Pledge of Allegiance to the U.S. and Texas Flags to be led by Mayor Pro Tem Michelle Schwolert

Mayor Pro Tem Schwolert led the Pledge to the U.S. and Texas flags.

9. Visitor Comments

No one wished to speak.

10. City Manager/Staff Reports

• **HVTV Update**

Fallen Officer's Bike Race – this annual event will be held at The Shops at Highland Village on Saturday, October 21; activities include a 5K run, civilian bike race, and a police team bike race; there will be live music, demonstrations, raffle prizes, a silent auction, kids zone, and food; proceeds from the race goes to the Texas Police Chiefs Association's Fallen Officer Fund ("Fund"), which provides monetary assistance to Texas families of fallen heroes within 24 hours following an officer's line of duty death; visit www.TXFallenPD.com for race details

TX Fallen PD T-Shirts – these shirts have the name and department of every officer killed in the line of duty in Texas since we began this event in 2008; you can help by purchasing a memorial t-shirt; all profits from the sale of these shirts go directly to the Fund

Concert in the Park - this free concert will be held on Saturday, September 23 at 7:00 p.m. at Doubletree Ranch Park; performance by the Stewart Brothers Band; concessions will be available for purchase from The Flour Shop Bakery; bring the whole family, your lawn chairs and blankets for a fun-filled evening

Town Hall Meeting – will be held on Thursday, September 14 at 7:00 p.m. at the Municipal Complex to share information regarding the upcoming utility rate adjustment and increase, and a bond election scheduled for this November that will include street improvements and park projects

11. **Mayor and Council Reports on Items of Community Interest pursuant to Texas Government Code Section 551.0415 the City Council may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about upcoming City Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety**

Mayor Wilcox reminded everyone National Night Out is October 3 and asked residents to contact her or Council if they would like members to visit a particular neighborhood.

CONSENT AGENDA

12. **Consider Approval of Minutes of the Regular Meeting held on August 22, 2017**
13. **Consider Ordinance 2017-1232 Authorizing a Fee to Defray Costs of Collecting Delinquent Fines, Fees, Court Costs and Other Debts Pursuant to Article 103.0031 of the Texas Code of Criminal Procedure (2nd and final read)**
14. **Consider Resolution 2017-2698 Adopting the City of Highland Village Investment Policy for FY 2017-18**
15. **Consider Resolution 2017-2699 Authorizing an Interlocal Agreement with Texas Political Subdivisions for Purposes of Providing City Workers' Compensation Insurance**
16. **Consider Resolution 2017-2700 Authorizing Renewal of the Employee Health Insurance Plan Agreements with Cigna**
17. **Consider Resolution 2017-2703 Authorizing an Agreement for Concrete Pavement Repairs with SAZ Infrastructure through the City's Cooperative Purchasing Agreement with the City of Lewisville**
18. **Receive Budget Report for Period Ending July 31, 2017**

Motion by Councilmember McGee, seconded by Deputy Mayor Pro Tem Fleming, to approve Consent Agenda Items #12 through #18. Motion carried 7-0.

ACTION AGENDA

19. Take action, if any, on matters discussed in closed session in accordance with the following sections of the Texas Government Code:

(a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)

(b) Section 551.074 – Deliberate the Appointment, Removal, Evaluation and Duties of Public Officers, specifically Members of the Planning and Zoning Commission, Zoning Board of Adjustment, Board of Directors of the Highland Village Community Development Corporation, and Board of Directors of the Denton County Transportation Authority

NO ACTION TAKEN

Council did not meet in Closed Session.

20. Conduct a Public Hearing on the Proposed Budget and Tax Rate for Fiscal Year 2017-2018

Mayor Wilcox opened the public hearing. With no one wishing to speak, Mayor Wilcox closed the public hearing.

21. Consider Ordinance 2017-1233 Adopting the Fiscal Year 2017-2018 Annual Budget (1st of two reads)

APPROVED 1ST READ (7 – 0)

Assistant City Manager Ken Heerman reported City staff initiated the FY 2017-2018 Budget process in May of this year with departments reviewing programs and related costs in their respective areas. During the process, the proposed Capital Improvement Program was presented for Council input, followed by the proposed General Fund Budget, Special Revenue Funds, and the Utility Fund. In addition, the proposed budget has been available on the City's website for review by residents and two required public hearings have been conducted.

Further, Mr. Heerman reported FY 2017-2018 budget includes a decrease to the ad valorem tax rate, going from \$0.56963 to \$0.568022. Also effective for the 2017 tax year is the increased exemption amount from \$50,000 to \$75,000 for homeowners over 65 and disabled persons. Approximately 22% of the homeowners in Highland Village will benefit from this exemption. He stated assessed valuations came in at an overall 6% increase. The base General Fund Budget expenditures total \$16,692,194, only a 2% increase over last year, with a Supplemental Budget totaling nearly \$600,000 that is also included, resulting in a total increase of 4%.

Initiatives focused on public safety and parks. Public safety supplemental items include an upgrade to the outdoor warning siren system with the addition of a siren at Sunset Point to provide full coverage of the City and a Lucus device, which provides continuous mechanical compressions for CPR, for the second ambulance. Parks initiatives include shade covers for several existing playgrounds, light shields and upgrade of the ballfield lights at Unity Park and a ThorGuard Lightning detection system at Brazos Park. The final read of the budget and new tax rate will take place on September 26.

Mr. Heerman stated Truth in Taxation does require specific action in adoption of the budget and that a vote to adopt the budget must be a record vote. Additionally, adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of council to ratify the property tax increase

reflected in the budget. As this budget does indeed raise more revenue, this is to be presented as a separate companion agenda item with the 2nd read.

Motion by Councilmember Busche, seconded by Councilmember McGee, to approve the first read of Ordinance 2017-1233 adopting the Fiscal Year 2017-2018 Annual Budget. City Secretary Angela Miller took a roll call vote on the motion:

***Councilmember Lombardo – Aye
Mayor Pro Tem Schwolert – Aye
Councilmember McGee – Aye
Mayor Wilcox – Aye
Councilmember Busche – Aye
Deputy Mayor Pro Tem Fleming – Aye
Councilmember Jaworski – Aye***

Motion carried 7-0.

22. **Consider Ordinance 2017-1234 Levying the Ad Valorem Taxes for the Year 2017 at a Rate of \$0.568022 per \$100 Assessed Valuation on all Taxable Property within the Corporate Limits of the City of Highland Village as of January 1, 2017 (1st of two reads)**

APPROVED 1ST READ (7 – 0)

Mr. Heerman reported the Texas Tax Code requires a tax rate be adopted by official action following passage of a budget. The proposed tax rate of \$.568022/\$100 is slightly decreased from last year. Proposed Ordinance 2017-1234 provides for the adoption of a total tax rate of \$.568022 per \$100 valuation (composed of a Maintenance and Operation rate of \$0.497060 per \$100 valuation and a debt service rate of \$0.070962 per \$100 valuation) to fund the FY 2017-2018 budget. Because the proposed tax rate will exceed the effective tax rate of \$0.54305 per \$100 valuation (which is the rate that would provide the same amount of funds raised from property taxes for the current fiscal year), state law requires the governing body must vote by a record vote.

Motion by Mayor Pro Tem Schwolert, seconded by Councilmember Busche, that the property tax rate be increased by the adoption of a tax rate of \$.568022, which is effectively a 4.6 percent increase in the tax rate and, therefore, further moved that Ordinance No. 2017-1234 be approved on first reading. City Secretary Angela Miller took a roll call vote on the motion:

***Councilmember Lombardo – Aye
Mayor Pro Tem Schwolert – Aye
Councilmember McGee – Aye
Mayor Wilcox – Aye
Councilmember Busche – Aye
Deputy Mayor Pro Tem Fleming – Aye
Councilmember Jaworski – Aye***

Motion carried 7-0.

23. **Consider Resolution 2017-2701 Authorizing an Interlocal Agreement with the Region VIII Educational Service Center to Participate in The Interlocal Purchasing System (TIPS) Purchasing Cooperative**

APPROVED (7 – 0)

Public Works Director Scott Kriston reported Chapter 791 of the Texas Government Code allows local governments to enter into cooperative purchasing agreements with

each other in order to allow them to take advantage of volume purchasing and other favorable terms for goods and services that a single entity may not otherwise be able to obtain if bidding as a single purchaser.

Texas Education Code §8.002 permits regional education service centers, at the direction of the Commissioner of Education, to provide services to assist school districts, colleges and Universities in improving student performance and increasing the efficiency and effectiveness of school, college and university operations. Authority for such services is granted under Texas Government Code §§ 791.001 *et seq* as amended. Cooperative Purchasing Services are extended to all Texas State, City and County Government Agencies.

In order to receive the best possible pricing for the City's roof replacements resulting from the March 2017 storm event, TML hired a consultant to manage the scope of work. The consultant has determined that The Interlocal Purchasing System (TIPS) program will be the most effective method of contracting services.

Motion by Councilmember Lombardo, seconded by Deputy Mayor Pro Tem Fleming, to approve Resolution 2017-2701 authorizing an Interlocal Agreement with the Region VIII Educational Service Center to participate in The Interlocal Purchasing System (TIPS) Purchasing Cooperative. Motion carried 7-0.

- 24. Consider Resolution 2017-2702 Authorizing Agreements with Duro-Last, Inc. through the City's Cooperative Purchasing Agreement with The Interlocal Purchasing System (TIPS) for Replacement of the Municipal Complex, Fire Station, and Municipal Service Center Roofs**

APPROVED (7 – 0)

Mr. Kriston reported during the storm event in March 2017, the Municipal Complex, Fire Station and Municipal Service Center roofs sustained hail damage. The City filed a claim with the TML Intergovernmental Risk Pool ("the Risk Pool") for the damages. The Risk Pool assigned an adjuster to review all City owned facilities. The roofs, both standing metal seam and flat, on the Municipal Complex, Police Station, Fire Station Public Works and the DuVall Center buildings were identified by the Risk Pool adjuster for a total roof replacement. At no cost to the City, the Risk Pool hired 4T Partnership LLC., a building envelope consultant, to manage the scope of work for the entire damage zone. The consultant determined that engaging a commercial roofing contract, Duro-Last, Inc., which is under contract with The Interlocal Purchasing System ("TIPS") program will be the most cost effective method of contracting the standing metal seam roof replacement services.

Highland Village has Real and Personal Property Coverage with the Replacement Cost Option. Under the coverage provisions, an initial Actual Cash Value payment is made until the loss or damaged property is actually repaired or replaced. Once the repairs are completed and if the costs exceed the payment, staff will submit the final receipts to the Risk Pool for review of any supplemental payments due under the Replacement Cost Coverage.

Motion by Councilmember Jaworski, seconded by Mayor Pro Tem Schwolert, to approve Resolution 2017-2702 authorizing agreements with Duro-Last, Inc. through the City's Cooperative Purchasing Agreement with The Interlocal Purchasing System (TIPS) for replacement of the Municipal Complex, Fire Station, and Municipal Service Center Roofs. Motion carried 7-0.

LATE WORK SESSION

25. Discuss Cancelling the November 28, 2017 and December 26, 2017 Council Meetings

Mayor Wilcox stated she and City staff have reviewed the remainder of the year and proposes that the Regular City Council meetings scheduled for Tuesday, November 28, 2017 and Tuesday, December 26, 2017 conflict with holidays; therefore, cancellation of these meetings is recommended to allow members of Council and staff to spend time with their families.

Consensus of Council is to cancel the November 28 and December 26, 2017 Council meetings. A Resolution will be presented at the September 26, 2017 meeting.

26. Discuss Format of the Town Hall Meeting scheduled for September 14, 2017, regarding Utility Rates and November Bond Election.

City Manager Michael Leavitt stated the agenda for the Town Hall Meeting has been posted. He then reviewed the meeting format with Council.

27. Status Reports on Current Projects and Discussion on Future Agenda Items (A Councilmember may inquire about a subject of which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.)

No items were presented.

28. Adjournment

Mayor Wilcox adjourned the meeting at 8:15 p.m.

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary