

**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 26, 2017**

The City Council of the City of Highland Village, Texas met in Early Work Session on the 26<sup>th</sup> 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 (arrived at 6:33 p.m.)
	Michael Lombardo	Councilmember
	Barbara Fleming	Deputy Mayor Pro Tem
	Fred Busche	Councilmember
	John McGee	Councilmember
	Daniel Jaworski	Councilmember
Staff Members:	Michael Leavitt	City Manager
	Kevin Laughlin	City Attorney
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Mark Stewart	Assistant Police Chief
	Brad Goudie	Fire Chief
	Scott Kriston	Public Works Director
	Sunny Lindsey	IT Director
	Laurie Mullens	Public Affairs Manager
	Andrew Boyd	Media Specialist
	Karen Bradley	Administrative Assistant

**EARLY WORK SESSION**

**1. Presentation from Waste Management regarding the Launch of their Highland Village Specific Website**

Public Sector Solutions Manager TJ Gilmore reported that Waste Management, along with input from City staff, has designed and launched a new local website tailored to Highland Village that will provide customers with important service and program guidelines, as well as self-service options. Mr. Gilmore thanked Public Affairs Manager Laurie Mullens for her assistance on the website.

Featured resources include service and pick up schedules and a portal to report any missed pickups. The site can also be accessed using a mobile device. Mrs. Mullens reported the portal allows Waste Management to update the page directly and more efficiently. Councilmember McGee complimented the Waste Management drivers on how nice and courteous they are. He also requested the holiday schedule for pickups be provided on the website.

**2. Receive an Update from the IT Department on the Camera Project**

IT Director Sunny Lindsey reported replacement of the entire camera and video management system were identified in this fiscal year budget. The project will include 49 cameras that will be located on city property, facilities and some city parks. Due to other projects taking longer than anticipated, this project was just scheduled for this month. Because of that, at the October 10 Council meeting, staff will bring forward a budget amendment for next year's budget in order to reallocate the funds for this project from the FY 2016-2017 budget to the FY 2017-2018 budget.

Councilmember McGee asked about the status of the cameras at The Shops and Wal-Mart. Ms. Lindsey reported The Shops will be replacing their camera system in the near future. Wal-Mart has their own separate system that is operated and monitored by them. In the case of an occurrence, they will provide an isolated feed of the video if requested by the Police Department.

**3. Discuss Appointment of Board and Commission Members; Review and Discuss the Attendance Record and Performance of City Board and Commission Members and Removal of Board and Commission Members prior to Completion of their Current Term pursuant to Code of Ordinances Section 2.037**

City Secretary Angela Miller reported there are twenty-two (22) positions with terms that expire on September 30, 2017. She stated Council had been provided with information regarding Board and Commission positions to be filled, applicant and current member board preferences, and attendance records that can all be used as a starting point for their discussion. Action could be taken during their regular Council meeting.

Mr. Leavitt reported he met previously with the Highland Village Parks Foundation (Foundation) and board members are looking at the future of the Foundation and how they may wish to move forward. He further stated the covenants of the Foundation are specific that Foundation funding may only be used for Highland Village art or parks and recreation projects. Mr. Leavitt reported there had been some indication of interest in dissolving the Foundation or potentially having the Public Art Advisory Board (PAAB) serve as a non-profit and to continue the work of the Foundation. The City Attorney indicated this could be done. Mr. Leavitt stated he contacted a board member of the Foundation regarding this, but has not received a response at this time.

With some frustration by members of the PAAB due to a lack of funding and interest in doing more beyond their annual festival, Mr. Leavitt stated board appointments could be delayed until more information is found regarding the direction of the Foundation, and/or to allow further discussion regarding the mission and scope of the PAAB, and if it should become a sub-committee of the Parks and Recreation Advisory Board. Councilmember McGee stated the board was originally formed to explore opportunities to bring the art(s) to Highland Village, and if there was a need for funding, to submit a request during the budget process. He reported he is not aware of any request for funding. Deputy Mayor Pro Tem Fleming reported the Board did seek art(s) for the City, but when the Board presented an idea or suggestion they were told they were not able to move forward because of the City's financial policy.

Mr. Leavitt reported the City's financial policy did not allow the PAAB to accept funds. He asked if Council wished to make PAAB appointments tonight or to discuss details at a future meeting. The consensus of the Council was to wait to make appointments until a later date, and to review the mission, scope and direction of the PAAB.

Councilmember Busche voiced concern that board members serving in alternate positions may not be aware of the importance of attending meetings. Ms. Miller reported attendance, even as an alternate, has been stressed during the annual board/commission training. Councilmember Jaworski voiced the importance of all board members needing to attend meetings, even if the board only meets two or three times a year. Mayor Wilcox reported there are times that extenuating circumstances exist. Councilmember McGee stated he would like to know reasons for board member absences for appointments next year. Deputy Mayor Pro Tem Fleming asked the City Attorney if there were criteria to use in determining if an absence is excused. City Attorney Kevin Laughlin reported criteria could be established. Deputy Mayor Pro Tem Fleming requested applicants be required to submit a photo to make it easier to recognize them from the Meet and Greet.

Council discussed potential appointments for the Board of Ethics and Parks and Recreation Advisory Board.

**4. Clarification of Consent or Action Items listed on today's City Council Regular Meeting Agenda of September 26, 2017**

No items were discussed.

Mayor Wilcox announced Council would convene into Closes Session and she read Agenda Items #5(a) and #5(b).

**CLOSED SESSION**

Council convened into Closed Session at 6:52 p.m.

**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**

Council concluded Closed Session at 7:30 p.m.

**OPEN SESSION**

**6. Call to Order**

Mayor Charlotte J. Wilcox called the meeting to order at 7:38 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
	Kevin Laughlin	City Attorney
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Mark Stewart	Assistant Police Chief
	David Harney	School Resource Officer
	Brad Goudie	Fire Chief
	Jason Collier	Assistant Fire Chief
	Scott Kriston	Public Works Director
	Laurie Mullens	Public Affairs Manager
	Andrew Boyd	Media Specialist

**7. Prayer to be led by Councilmember Mike Lombardo**

Councilmember Lombardo gave the invocation.

**8. Pledge of Allegiance to the U.S. and Texas Flags to be led by Councilmember Mike Lombardo**

Councilmember Lombardo 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**

Utility Rate Increase – The City’s utility rate structure, which includes a residential and commercial rate increase, will go into effect with the October billing. The water and wastewater rates charged to customers solely fund the purchase and delivery of utility services and the maintenance of the system. The City has maintained the same utility rate for water and sewer services for the last ten years. Several years of wet summers, along with increased conservation efforts has resulted in reduced water sales. This coupled with increased maintenance costs has prompted the need for an adjustment to the rate structure.

Fallen Officers Bike Race & 5K – 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; t-shirts are also available for purchase with all profits from the sale going directly to the Fund; visit [www.TXFallenPD.com](http://www.TXFallenPD.com) for race details

[Online Auction for Fallen Officers Bike Race & 5K](http://www.TXFallenPD.com) – visit [www.TXFallenPD.com](http://www.TXFallenPD.com) to see what items are available

[Farmers Market](#) – A European-Style Farmers Market is now open in the Highland Village Town Center every Sunday from 10:00 a.m. to 2:00 p.m. featuring fresh produce, Texas meats, prepared foods, specialty foods, beauty and skin care, arts and accessories

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**

Councilmember Jaworski announced resident Deedee Ricketts' father had recently passed and asked everyone to keep her and her family in their prayers.

Mayor Pro Tem Schwolert thanked Officer Harney for everything he does in preparing our youth programs in the schools.

- **Proclamation – Presented to United Way of Denton County Designating September as Live United Month**

Mayor Wilcox presented a proclamation to Mr. Gary Henderson, President and CEO for United Way, designating September as Live United Month. Mr. Henderson reported United Way assisted 1,755 Highland Village residents over the past year.

- **Proclamation – Fire Prevention Week**

Mayor Wilcox presented a proclamation to Fire Chief Brad Goudie and Asst Fire Chief Jason Collier proclaiming the week of October 8-14, 2017 as Fire Prevention Week in Highland Village.

- **Presentation of Life Safety Achievement Award to the Fire Department**

Mayor Wilcox presented the Life Safety Achievement Award to Fire Chief Brad Goudie and Assistant Fire Chief Jason Collier. The Highland Village Fire Department has been awarded the 2016 Life Safety Achievement Award for its prevention accomplishments in 2016 by the National Association of State Fire Marshals Fire Research and Education Foundation in partnership with Grinnell Mutual Reinsurance Company. The award recognizes fire departments for having outstanding fire safety statistics and prevention programs that have proven to save lives year after year.

- **Presentation of 3CMA Silver Circle Award for Marketing of the Fallen Officer Bike Race & 5K**

Mayor Wilcox presented the Fallen Officer Bike Race and 5K committee members the City-County Communicators and Marketing Silver Circle Award for the marketing of the Fallen Officer Bike Race and 5K event held the third Saturday of October. The City competed against cities and counties of all sizes across the nation for this award. The judges said the marketing provided a

consistent and comprehensive approach bringing together the City, business community, residents and law enforcement in a meaningful way.

### **CONSENT AGENDA**

At the request of Councilmember Jaworski, Mayor Wilcox moved Agenda Item #18 up from the Regular Agenda to the Consent Agenda.

12. **Consider Approval of Minutes of the Regular Meeting held on September 12, 2017 and Town Hall Meeting held on September 14, 2017**
13. **Consider Resolution 2017-2704 Cancelling the November 28, 2017 and December 26, 2017 Council Meetings**
18. **Consider Resolution 2017-2706 Appointing City Representation to the Denton County Transportation Authority (DCTA) Board of Directors**

***Motion by Councilmember McGee, seconded by Deputy Mayor Pro Tem Fleming, to approve Consent Agenda Items #12, #13, and #18. Motion carried 7-0.***

### **ACTION AGENDA**

14. **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)**

**NO ACTION TAKEN**

(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**

**ACTION TAKEN with AGENDA ITEM #20**

15. **Consider Ordinance 2017-1233 Adopting the Fiscal Year 2017-2018 Annual Budget (2<sup>nd</sup> and final read)**

**APPROVED 2<sup>ND</sup> 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. He stated the budget is presented for Council approval, and that the presented budget is a joint product of staff and Council to reflect priorities established by Council in initial stages of the budget process. Public Hearings were held on August 22 and September 12, and the proposed budget has been available on the City's website for review by residents.

The 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 65 and over and disabled persons. Approximately 22% of the homeowners in Highland Village will benefit from this exemption. 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. A

Supplemental Budget totaling nearly \$600,000 is also included, resulting in a total increase of 4%. Initiatives are 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.

***Motion by Councilmember Jaworski, seconded by Councilmember McGee, to approve the second read of Ordinance 2017-1218 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***

***Councilmember Fleming – Aye***

***Councilmember Jaworski – Aye***

***Motion carried 7-0.***

**16. Consider Resolution 2017-2705 Ratifying the Property Tax Revenue Increase Reflected in the Fiscal Year 2017-2018 Budget**

**APPROVED (7 – 0)**

Mr. Heerman reported in accordance with Local Government Code §102.007(c), 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. This action acknowledges that Council is aware this budget will cost more than last year's budget. Mr. Heerman stated as this budget does indeed raise more revenue, this is a required action. Although the property tax rate reflects a decrease from last year, overall tax dollars are increased – this year collecting \$12,133,948 compared to \$11,483,760 last year. The increase is reflective of a six percent (6%) percent increase in valuation, including new valuation of \$27,401,625 added to the tax base.

***Motion by Councilmember Jaworski, seconded by Councilmember McGee, to approve Resolution 2017-2705 ratifying the property tax increase reflected in the Fiscal Year 2017-2018 Budget as required by Local Government Code Section 102.007(c). Motion carried 7-0.***

**17. 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 (2<sup>nd</sup> and final read)**

**APPROVED 2<sup>ND</sup> READ (7 – 0)**

Mr. Heerman reported Texas Tax Code §26.05 requires a tax rate be adopted by official action following passage of a budget. He stated the total tax rate of \$.568022/\$100 assessed valuation is a decrease from last year.

Pursuant to the direction of the City Council, the City Manager has prepared the FY 2017-2018 budget based on anticipated revenues to the City from various sources, including the assessment of taxes on real and business personal property located within the City. 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).

***Motion by Councilmember Jaworski, 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 move that Ordinance 2017-1234 be approved on second 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.***

18. **Consider Resolution 2017-2706 Appointing City Representation to the Denton County Transportation Authority (DCTA) Board of Directors**  
**APPROVED (7 – 0)**

This item was moved up to the Consent Agenda.

19. **Review and Discuss the Attendance Record and Performance of City Board and Commission Members and Consider Removal of Board and Commission Members prior to Completion of their Current Term pursuant to Code of Ordinances Section 2.037**

**NO ACTION TAKEN**

This item was not discussed.

20. **Consider Resolution 2017-2707 Appointing Members to Various Positions on the Board of Ethics, Parks and Recreation Advisory Board, Planning and Zoning Commission, Zoning Board of Adjustment, Highland Village Community Development Corporation, and Public Art Advisory Board**  
**APPOINTMENTS MADE and RESOLUTION APPROVED (7 – 0)**

Mayor Wilcox reported appointments for the Public Art Advisory Board would be postponed until a future meeting.

***Motion by Councilmember McGee, seconded by Councilmember Lombardo, to approve Resolution 2017-2707 making the following appointments:***

**BOARD OF ETHICS:**

**Kevin McMahan  
James Burmeister  
Benjamin Somero**



**PARKS AND RECREATION ADVISORY BOARD:**

Gary Patz - Place 4

Tamara Lisby - Place 5

Kenneth Koonsman - Alternate Place 1

**PLANNING AND ZONING COMMISSION:**

Richard Turner - Place 1

Deedee Ricketts - Place 4

Robert Fiester - Place 5

James Romo - Alternate Place 1

Thomas Heslep – Alternate Place 2

**ZONING BOARD OF ADJUSTMENT:**

Christian Hart - Place 1

Denver Kemerry - Place 2

Thomas Peck - Place 3

Guy Skinner - Alternate Place 1

**HIGHLAND VILLAGE COMMUNITY DEVELOPMENT CORPORATION:**

Dale Butler - Citizen Representative

Michelle Schwolert - City Representative

Fred Busche - City Representative

Barbara Fleming - City Representative

*Motion passed 7 – 0.*

**LATE WORK SESSION**

21. **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.)**

City Manager Michael Leavitt reported on the following:

**The Shops at Highland Village Roof Replacement**

The Shops at Highland Village is beginning their roof replacements. On Wednesday, October 4 and Monday, October 9 roofing crews will be loading roofing materials onto the top of the buildings at The Shops of Highland Village. On both days a helicopter will be used to place the materials on the tops of the buildings from 7:30 a.m. to 10:00 a.m. The entire property will be closed during these times to everyone including foot traffic.

Door-hangers will be placed on Monday, October 2 on the homes in Rolling Hills Estates as well as the homes on the opposite side of Live Oak Drive. We will communicate this information to these residents via Nextdoor and to the city through Facebook.

Two Highland Village Police Department officers will be onsite from 6:00 a.m.-10:00 a.m. conducting vehicle patrols and monitoring the entry points. Barricades along with caution tape will be used at all entry points. Corporal Harney will also be on property to assist operations.

All tenants will be advised that they may wait across the street in the Academy parking lot for the property to open, and a member of the Highland Village Police Department will personally inform them when they are allowed to enter the property.

**Garbage and Recycling Services Survey**

In preparation for our upcoming RFP for garbage and recycling services, the City is conducting a short survey of our residents. The survey is being created in-house and will be open for approximately two (2) weeks beginning the first week of October. City staff will share the survey link with residents through our email notification system, City website, Facebook, and Nextdoor. The results of the survey will be presented to Council at their October 28 planning session.

Councilmember McGee voiced concern about the lack of cleanup at the dog park. He suggested reconvening the citizens that originally requested the dog park and City staff to discuss options. Mayor Wilcox stated she would reach out to those residents. Councilmember McGee suggested installing a larger sign reminding visitors to clean up after their pet.

Mr. Leavitt also reported November 8 is the tentative date that has been discussed for an official ribbon cutting celebrating completion of the 35Express Project. The event will be held in Highland Village at Doubletree Ranch Park and will include federal and state officials. Additional details will be released as they are received.

**22. Adjournment**

Mayor Wilcox adjourned the meeting at 8:21 p.m.

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Charlotte J. Wilcox, Mayor

**ATTEST:**

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Angela Miller, City Secretary