

**MEETING 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, JANUARY 22, 2019**

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

Roll Call

| | | |
|----------------|---------------------|--|
| Present: | Charlotte J. Wilcox | Mayor |
| | Jon Kixmiller | Councilmember |
| | Michael Lombardo | Councilmember |
| | Barbara Fleming | Deputy Mayor Pro Tem |
| | Fred Busche | Mayor Pro Tem |
| | Robert A. Fiester | Councilmember |
| | Daniel Jaworski | Councilmember |
| Staff Members: | Michael Leavitt | City Manager |
| | Kevin Laughlin | City Attorney |
| | Ken Heerman | Assistant City Manager |
| | Angela Miller | City Secretary |
| | Scott Kriston | Public Works Director |
| | Travis Nokes | Interim Fire Chief |
| | Jason Collier | Assistant Fire Chief |
| | Phil Lozano | Parks and Recreation Director |
| | Laurie Mullens | Director of Marketing & Communications |
| | Andrew Boyd | Media Specialist |
| | Karen Bradley | Administrative Assistant |

EARLY WORK SESSION

1. Receive an Update on Possible Development of a Residential Overlay District in Highland Village

Public Works Director Scott Kriston reported that Council passed a resolution last October approving construction of a home using an alternate exterior building material. During that discussion, Council directed staff to review the City's current zoning regulations to consider updates allowing for the use of alternate exterior building materials.

Mr. Kriston reported at the Planning & Zoning Commission (P&Z) meeting held in December, 2018, staff and the City's consultant made a presentation regarding the use of alternate exterior building materials for residential structures. He provided information to Council regarding the City's zoning ordinance as it relates to the definition of masonry construction. Since homes located within an HOA would typically not be allowed to use alternate exterior building materials due to their HOA regulations, establishing a residential overlay district for those areas outside of an HOA was discussed at the P&Z meeting. Other topics discussed at their meeting included:

- residential paint colors
- painted brick regulations
- residential look & feel ordinance

Mr. Kriston added that in the past eighteen (18) years, there have been two (2) new homes approved for construction that were non-conforming to the code and that approximately thirteen (13) new homes have been constructed in non-HOA areas over the past five (5)

years. Mr. Kriston reported the overall consensus of P&Z was not to make any changes and to continue to review on a case by case basis. This process also allows for owners of neighboring properties to voice if they were in support or opposition.

Mayor Pro Tem Busche asked if there could be specific restrictions such as paint colors. With the few requests that have come before the Council, Councilmember Jaworski stated this may be a moot point; Councilmember Lombardo concurred. Deputy Mayor Pro Tem Fleming added that some people prefer to live in an area that is not located within a HOA so there are not as many restrictions. Councilmember Fiester stated he better understands the process in Highland Village but did voice that maybe P&Z should handle such requests rather than the City Council. City Attorney Laughlin stated since this type of request is not a standard variance that would go before the Zoning Board of Adjustment, therefore it goes to P&Z and then to Council, unless the process were amended in the ordinance. Mayor Wilcox voiced concern that a case by case interpretation could be subjective.

The consensus of City Council is to continue with the current process.

2. Receive a Presentation and Discuss the City's Legislative Program for the 86th Texas Legislative Session

City Manager Michael Leavitt reported the 86th Texas Legislature convened this month and is expected to consider legislation on a wide range of issues with a direct impact on municipal government in general and on Highland Village. He further reported City staff has prepared the City's legislative program, setting the city's priorities and key issues for the 86th Texas legislative session. He added that Council and City staff will be present to present the City's legislative program to our legislators at Denton County Days, which will be held February 18-19, 2019.

He presented the legislative priorities for Highland Village, which are divided into six main categories:

- Local Authority – Public Right of Ways
- Local Revenue Caps, Revenue Reduction and Online Sales Tax
- Public Safety
- Transportation and DCTA
- Water
- Parks Funding

He added that the common theme to all six categories is Highland Village's belief that cities are the level of government most connected to, and thus most accountable to, the people they serve; as a result, the state should recognize and preserve local authority and support cities in their mission of providing quality local services to all Texans. Council received clarification on a few items and also discussed some updates to the proposed program, which will be included on the Consent Agenda for tonight's meeting.

For legislation relating to Denton County Transportation Authority (DCTA), Mr. Leavitt reported the biggest change is the reduction from fourteen (14) voting members to five (5) voting members. Councilmember Lombardo voiced concern there was nothing included to provide member cities with an option to opt out should they choose to do so at some point.

3. Clarification of Consent or Action Items listed on today's City Council Regular Meeting Agenda of January 22, 2019

No items were discussed.

CLOSED SESSION

4. 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)**

Council did not meet in Closed Session.

Early Work Session ended at 7:29 p.m.

OPEN SESSION

5. Call to Order

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

Roll Call

| | | |
|----------------|---------------------|--|
| Present: | Charlotte J. Wilcox | Mayor |
| | Jon Kixmiller | Councilmember |
| | Michael Lombardo | Councilmember |
| | Barbara Fleming | Deputy Mayor Pro Tem |
| | Fred Busche | Mayor Pro Tem |
| | Robert A. Fiester | Councilmember |
| | Daniel Jaworski | Councilmember |
| Staff Members: | Michael Leavitt | City Manager |
| | Kevin Laughlin | City Attorney |
| | Ken Heerman | Assistant City Manager |
| | Angela Miller | City Secretary |
| | Doug Reim | Chief of Police |
| | Travis Nokes | Interim Fire Chief |
| | Jason Collier | Assistant Fire Chief |
| | Scott Kriston | Public Works Director |
| | Don Strange | Public Works Streets and Code Manager |
| | Phil Lozano | Parks and Recreation Director |
| | Laurie Mullens | Director of Marketing & Communications |
| | Andrew Boyd | Media Specialist |

6. Prayer to be led by Councilmember Jon Kixmiller

Councilmember Kixmiller gave the invocation.

7. Pledge of Allegiance to the U.S. and Texas flags to be led by Councilmember Jon Kixmiller.

Councilmember Kixmiller led the pledges.

8. Visitor Comments

No one wished to speak.

9. City Manager/Staff Reports

- **HVTV Update**

The Foodie Friday segment was presented and featured Palio's Pizza Café in the Marketplace at Highland Village. The update also included information on the upcoming Father & Daughter Valentine Dance.

10. 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 Pro Tem Busche announced the Lewisville Lake Symphony is hosting the International Chamber Series concerts. These are free and the next concert will be held on Friday, January 25; further details are available on their website.

Mayor Wilcox recognized Highland Village Boy Scout Troop 298 who were in attendance for tonight's Council meeting.

- **Recognition of Donald Strange, Public Works Street and Code Manager, for earning the Certified Public Works Professional Manager designation from the American Public Works Association (APWA)**

Public Works Director Scott Kriston recognized Mr. Strange for earning the Certified Public Works Professional Manager designation from the American Public Works Association (APWA).

CONSENT AGENDA

Councilmember Lombardo suggested moving Agenda Item #19 from the Action Agenda up to the Consent Agenda; Mayor Wilcox moved the item up.

11. Consider Approval of Minutes of the Regular City Council Meeting held on January 8, 2019

12. Consider Resolution 2019-2792 authorizing the Purchase of Three (3) Ford F-Series Trucks for the Public Works Department from Silsbee Ford through the City's Cooperative Purchasing Agreement with the State of Texas Purchasing Co-op ("GoodBuy")

13. Consider Resolution 2019-2793 authorizing the City Manager to Enter into Interlocal Cooperation Agreements with Denton County for Ambulance and Fire Protection Services

14. Consider Resolution 2019-2794 ordering a General Municipal Election to be held on May 4, 2019 for the Purpose of Electing Councilmembers to Places 3, 5 and 7;

**Authorizing a Joint Election with other Denton County Political Subdivisions; and
Authorizing a Contract for Election Services with Denton County**

15. **Consider Resolution 2019-2795 approving the City's Legislative Program for the 86th Texas Legislative Session**
16. **Consider Resolution 2019-2796 authorizing the City Manager to execute an Untreated Water Purchase Contract with the City of Dallas from Copperas Branch Lake, a Tributary of Lake Lewisville, to provide water for Irrigation and Recreational Uses at Doubletree Ranch Park**
17. **Receive Budget Reports for Period Ending November 30, 2018**
19. **Consider Resolution 2019-2797 authorizing the City Manager to Enter into a Fire and Emergency Services Automatic Aid Agreement with the Town of Flower Mound for Automatic Aid Paramedic Engine Response**

Motion by Deputy Mayor Pro Tem Fleming, seconded by Mayor Pro Tem Busche, to approve Consent Agenda Items #11 through #17, and #19. Motion carried 7-0.

ACTION AGENDA

18. **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

Council did not meet in Closed Session.

19. **Consider Resolution 2019-2797 authorizing the City Manager to Enter into a Fire and Emergency Services Automatic Aid Agreement with the Town of Flower Mound for Automatic Aid Paramedic Engine Response**

This item was moved to the Consent Agenda.

LATE WORK SESSION

20. **Discuss cancelling the March 12, 2019 City Council Meeting**

Mayor Wilcox reported spring break for the Lewisville Independent School District is March 11 through 15, 2019. Typically Council does not hold a meeting during this time to allow Council members and City staff the opportunity to spend time with their families. The City Council directed staff to bring a resolution to their February 12, 2019 meeting for formal action.

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.)**

Mayor Pro Tem Busche thanked the Parks and Recreation Department for their efforts to install a pedestrian crossing light on Highland Shores Boulevard.

22. Adjournment

Mayor Wilcox adjourned the meeting at 7:55 p.m.

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary