

**State of Texas
County of Denton
City of Lake Dallas**

The Lake Dallas City Council met in a regular meeting on July 14, 2016 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Mathews called the meeting to order at 7:30 p.m.

A. ROLL CALL

Julie Mathews	Mayor
Megan Ray	Councilmember 1
Kathy Brownlee	Councilmember 2
Steve Forgey	Councilmember 3
Charlie Price	Councilmember 4
Andi Nolan	Councilmember 5

Staff Present: Interim City Manager/Police Chief Nick Ristagno, City Secretary Joni Vaughn, Finance/Human Resources Director Donna Boner, Community Development Director Char DuPree, Police Lieutenant Eric Louderback, City Librarian Joe Gunter, City Attorney Kevin Laughlin, Patrol Officer Brandon Harris.

B. INVOCATION

Councilmember Forgey led the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Mathews led the pledges.

D. ANNOUNCEMENTS

The members of the Lake Dallas Police Department convey our heartfelt thanks to the citizens of our community and to those across the State who have expressed their support for the men and women in law enforcement. Citizens have approached us to shake our hands and offer words of comfort; have brought food, sweets and snacks to the PD; have picked up officers' lunch tabs either in person or anonymously at restaurants; and many have just simply offered their condolences for the senseless loss of the lives of fellow officers in the incident that occurred in Dallas just a few days ago. It is rewarding to know there are those who genuinely care.

Willow Grove Park is now open for day use and camping, but the boat ramp remains closed.

The Float and Fly event scheduled for August 5th at Willow Grove Park will go on. The event features radio controlled airplanes performing aerial techniques and water take-off and landings.

E. REPORTS

- 1) **Boards and Commissions** - Interim City Manager Ristagno reported that the Parks, Recreation, and Keep Lake Dallas Beautiful Board will meet on July 18th at 7:00 pm.
- 2) **Finance** - Donna Boner gave the monthly financial report.
- 3) **Library** - City Librarian Joe Gunter gave the monthly report.

F. VISITORS/CITIZENS AGENDA

Mayor Mathews opened the Visitors/Citizens Agenda.

James Harper, 770 Lacey Oak Lane, addressed Council regarding the fire services contract. He urged Council not to make a hasty decision in voting on the contract with Corinth, but to wait on a consultant's report.

Kandy Jones, 516 Meadowbrook, addressed Council and gave her support to keeping our current fire department.

Paul Forgey, 402 S. Lakeview Drive, addressed Council and asked that they not make a hasty decision in regard to the fire services contract.

Mayor Mathews closed the Visitors/Citizens Agenda.

G. CONSENT AGENDA - Mayor Mathews asked for the items to be voted on separately.

1) Consideration and Action to approve the minutes of the June 28, 2016 meeting.

Motion to approve the minutes of the June 28, 2016 meeting was made by Councilmember Forgey and second by Councilmember Price.

Ayes: Councilmembers Forgey, Price, Ray, Brownlee, and Nolan

Noes: None

Motion Passed

2) Consideration and Action to approve the June 2016 financials.

Motion to approve the June 2016 Financials was made by Councilmember Nolan and second by Councilmember Ray.

Ayes: Councilmembers Nolan, Ray, Brownlee, Forgey, and Price

Noes: None

Motion Passed

H. BUSINESS

1) Consider appointment of a Mayor Pro Tem

Motion to appoint Andi Nolan as Mayor Pro Tem was made by Councilmember Forgey and second by Councilmember Brownlee.

Ayes: Councilmembers Forgey, Brownlee, Ray, Price, and Nolan

Noes: None

Motion Passed

2) Consider approval of a change in the provider of the employees' life insurance benefit.

The City's insurance agent, Rodney Dryden of Wellspring Insurance Agency, Inc., addressed the Council. Mr. Dryden explained that the City's current life insurance provider, Prudential, was exiting the life insurance market. Hartford offers a plan equal to what the City had with Prudential.

Motion to approve a change in the provider of the employees' life insurance benefit from Prudential to Hartford was made by Councilmember Nolan and second by Councilmember Forgey.

Ayes: Councilmembers Nolan, Forgey, Ray, Brownlee, and Price

Noes: None

Motion Passed

3) Consider a request from First Baptist Church of Lake Dallas for a waiver regarding their fire suppression system.

George Koelling, First Baptist Church of Lake Dallas, addressed the Council to explain the project. Chief Thiessen, Lake Cities Fire Department, addressed the Council to explain the background on the project and give his support of the alternate fire system. Councilmember Forgey strongly suggested the church hold fire drills.

Motion to grant a waiver and approve an alternate fire suppression system with recommendations from the Lake Cities Fire Department that any future additions to this building would automatically require the entire structure be equipped with a fire sprinkler suppression system, that the waiver exception would only apply to buildings that are grandfathered as legally non-conforming, and structures not grandfathered must meet current fire code requirements, and if a legal non-conforming structure is adding on less than 30% of the current square footage, not more than 2,000 square feet, these properties would be allowed to propose an alternate suppression system was made by Councilmember Forgey and second by Councilmember Ray.

Ayes: Councilmembers Forgey, Ray, Brownlee, Price and, Nolan

Noes: None

Motion Passed

H-1 Executive Session:

Pursuant to Texas Government Code section 551.074, conduct a closed meeting for the purpose of deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer, specifically:

- (a) **Deliberate the dismissal of Ellen Rodrigues as director of the Lake Dallas Community Development Corporation.**

Mayor Mathews announced that Item (a) has been moved to the July 28th meeting.

- (b) **Deliberate the appointment and employment of a city manager.**

Mayor Mathews adjourned the meeting at 8:15 pm to go into Executive Session.

Mayor Mathew re-convened the meeting at 9:09 pm.

H-2 Return to Open Session

- (1) **Take such action in Open Session as the City Council determines to be necessary as the result of the deliberations occurring under Item H-1(a) and/or Item H-1(b).**

No Action Taken

- 4) **Consider an Ordinance abandoning rights to an unimproved platted streets easement adjacent to Lots 1 through 10 and Lot 17, Block 2, Lake Dallas Shores, an addition to the City of Lake Dallas**

Clyde Fisher, 747 Carlisle Drive, explained his project to Council and requested the City abandon a portion of two unimproved roads in order for Mr. Fisher to replat his property into two buildable lots.

Motion to approve Ordinance 2016-10 abandoning rights to unimproved platted streets easement adjacent to Lots 1 through 10 and Lot 17, Block 2, Lake Dallas Shores Addition was made by Councilmember Forgey and second by Councilmember Ray.

Ayes: Councilmembers Forgey, Ray, Brownlee, Price and, Nolan

Noes: None

Motion Passed

- 5) **Consider a Memorandum of Understanding (MOU) between Waste Management and the City of Lake Dallas for “Back Door Services”.**

TJ Gilmore, representative from Waste Management, explained the MOU to Council. The MOU will allow for “back door services” for those who are handicapped or senior residents unable to take their trash and recycle carts to the curb for a 10% charge to the monthly customer billing. Residents must apply for this service through the City.

Motion to approve a Memorandum of Understanding (MOU) between Waste Management and the City of Lake Dallas for “Back Door Services” was made by Councilmember Nolan and second by Councilmember Ray.

Ayes: Councilmembers Nolan, Ray, Brownlee, Forgey, and Price

Noes: None

Motion Passed

6) **Consider an Ordinance establishing a Library Advisory Board.**

Motion to approve Ordinance 2016-11 establishing a Library Advisory Board was made by Councilmember Nolan and second by Councilmember Brownlee.

Ayes: Councilmembers Nolan, Brownlee, Ray, Forgey, and Price

Noes: None

Motion Passed

7) **Consider approval of an Interlocal Cooperation Agreement with Denton County Transportation Authority for hike and bike trail use and maintenance.**

Jim Cline, President of the Denton County Transportation Authority, 1955 Lakeway Drive, Lewisville, addressed the Council regarding the agreement and answered Council questions.

Mr. Cline explained that the agreement is for the City to maintain the trail and the grass around it for just the section that is in the City of Lake Dallas. The City of Lake Dallas may add amenities to the trail in the City such as benches, but must first get approval from DART to do so.

Motion to approve an Interlocal Cooperation Agreement with Denton County Transportation Authority for hike and bike trail use and maintenance was made by Councilmember Nolan and second by Councilmember Ray.

Ayes: Councilmembers Nolan, Ray, Brownlee, Forgey, and Price

Noes: None

Motion Passed

8) **Consider a Resolution approving the “Draft” Denco Area 9-1-1 District Fiscal Year 2017 Financial Plan.**

Motion to approve Resolution 071416.101 the “Draft” Denco Area 9-1-1 District Fiscal Year 2017 Financial Plan was made by Councilmember Forgey and second by Councilmember Brownlee.

Ayes: Councilmembers Forgey, Brownlee, Ray, Price, and Nolan

Noes: None

Motion Passed

9) **Consider a Resolution regarding the appointment of one member to the Board of Managers of the Denco Area 9-1-1 District.**

Motion to approve Resolution 071416.102 appointing Jim Carter to the Board of Managers of the Denco Area 9-1-1 District was made by Councilmember Nolan and second by Councilmember Forgey.

Ayes: Councilmembers Nolan, Forgey, Brownlee, Ray, and Price

Noes: None

Motion Passed

10) **Council Interview with Raymond Daniels, an applicant for the Planning and Zoning Commission.**

Raymond Daniels, Chairman of the Parks, Recreation, and Keep Lake Dallas Beautiful Board, expressed his desire to serve on the Planning and Zoning Commission as well as the Community Development Corporation to the Council. He answered Council’s questions.

11) Consider and Act on hiring a consultant to do a Fire and Emergency Services Study.

Interim City Manager Ristagno explained that at the last meeting, Council requested that he find a consultant to do a study and find out the cost. He spoke with a consulting group who said they could conduct the full review for somewhere between \$3,000-\$6,000. He said Shady Shores tabled this item on their agenda and Hickory Creek has not yet brought it before their council. Councilmember Price asked how soon they could start and Interim City Manager Ristagno said they indicated they could begin immediately. Councilmember Brownlee has heard from a number of people that they do not want to change their service provider so she feels it is not worth spending the money for a consultant. Councilmember Forgey believes it is and Council should approve it. Councilmember Nolan and Councilmember Ray would only want to approve if the cost was being shared with the other two cities. Councilmember Nolan has concerns about the changing numbers in the agreement with Corinth. Mayor Mathews asked City Attorney Laughlin if Council could discuss both Item 11 and 15 at the same time and City Attorney Laughlin stated Council could do that.

A lengthy discussion of the two items followed.

Mayor Mathews adjourned at 10:32 pm for a 10 minute recess.

Mayor Mathews reconvened the meeting at 10:40 pm.

Mayor Mathews asked for a motion on Item 11.

Motion to approve hiring a consultant to do a Fire and Emergency Services Study was made by Councilmember Forgey and second by Councilmember Price.

Ayes: Councilmembers Forgey, Price, Ray, Brownlee, and Nolan

Noes: None

Motion Passed

15) Discuss and consider proposal by the City of Corinth relating to an interlocal cooperation agreement for firefighting and emergency medical services with a term commencing October 1, 2016.

Councilmember Nolan has some concerns about the agreement. She is uncomfortable with the fact it has not yet been approved with Corinth's City Council. She is also concerned about #2 RENEWAL in the contract. City Attorney Laughlin also has some concerns about some items in the agreement. He and Councilmember Price have concerns about what would happen to the agreement if the other two cities were to back out as that is not addressed in the agreement.

Council Took No Action

12) Consider additional paving for Thompson Drive related to the Main Street project.

Interim City Manager Ristagno explained that due to some gas line conflicts, the contractor had to demolish one lane of Thompson. Per their contract, they would have to put back the one lane that they are demolishing in asphalt. However, the City could choose to do the whole roadway instead of one lane, either in asphalt or concrete.

Motion to approve the expenditure of \$53,340 for the paving for Thompson Drive in concrete was made by Councilmember Forgey and second by Councilmember Ray.

Ayes: Councilmembers Forgey, Ray, Brownlee, Price, and Nolan

Noes: None

Motion Passed

13) Discussion regarding a proposed draft house at 206 Gotcher.

Mayor Mathews explained that she requested this item as she knew nothing of the potential business deal. Interim City Manager Ristagno stated the potential business owners originally came as a possible CDC project. Their original proposal was to utilize the City Hall or City Park parking lots for their business parking, but there is a law that prohibits the use of public property for personal gain. The owners came back later and began to speak with Char DuPree about using crushed granite for the parking lot instead of a hard surface like what is required in the rest of the City. Hard surface was a cost issue for the potential owners so the project did not move forward as they did not come back to staff in regard to their project. The owners contacted Councilmember Price. He will get in touch with them and recommend they follow up with the Community Development Corporation.

14) Discuss and consider request to the City Council to remove Ellen Rodrigues as a director of the Lake Dallas Community Development Corporation presented by Ruby Benoit.

Mayor Mathews announced that Item 14 has been moved to the July 28th meeting.

16) Discuss status of drainage facilities being constructed in association with the development of Lake Bluff Addition, Lots 1-11, Block A, generally located at the southeast corner of the intersection of Wilson Drive and Myers Drive.

Mayor Mathews asked for an update on the drainage. Interim City Manager reported that the last time the drainage was checked, it met the engineering requirements that were established. According to our City Attorney, the City cannot go back and require the owner to concrete the retention pond after the plan has already been approved and the City Engineer felt concrete would decrease the absorption rate and would not be a good idea.

I. WORKSHOP

1) City Manager Search

Councilmember Nolan gave an update on the City Manager Search. The Council conducted interviews and they went well.

2) Budget

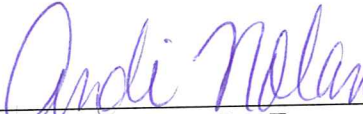
Mayor Mathews noted that Council had been given a new copy of the budget and had a budget calendar. Council will move forward with a budget workshop with staff at the next meeting.

J. ITEMS REQUESTED FOR FUTURE COUNCIL AGENDAS

None

K. ADJOURNMENT

Mayor Mathews adjourned the meeting at 11:13 pm


Andi Nolan, Mayor Pro Tem




Joni Vaughn, City Secretary