

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

The Lake Dallas City Council met in a regular meeting on February 11, 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 McCaleb called the meeting to order at 7:30 p.m.

A. ROLL CALL

Mike McCaleb	Mayor
David Houdek	Councilmember 2
Steve Forgey	Councilmember 3
April Estrada	Councilmember 4
Andi Nolan	Councilmember 5

Staff Present: Interim City Manager/Police Chief Nick Ristagno; City Attorney David Berman; City Secretary Joni Vaughn; Finance/Human Resources Director Donna Boner; Police Captain Eric Louderback; Patrol Officer Tristan LaBeau.

B. INVOCATION

Mayor McCaleb led the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor McCaleb led the pledges.

D. ANNOUNCEMENTS

Mardi Gras went well. Community Relations Manager Lynn Hillis is in need of volunteers for Parks, Recreation, and Keep Lake Dallas Beautiful Board. She is also looking for sponsors for the Adopt A Spot program.

City Hall will be closed Monday, February 15 to celebrate President's day.

The Circus will be at City Park on Thursday March 17.

Last day to file for the May 7 General Election is Friday, February 19 by the end of business at 5:00 pm. Available positions include the Mayor and Council Places 2 and 4. A Special Election will be held to fulfill the unexpired term of Council Place 1 on May 7, as well, and the filing deadline for that position is March 7. D&J Liquor and Convenience Stores have closed.

E. PRESENTATION

Mayor McCaleb presented a Certificate of Appreciation to Matt Pearson for his generous assistance in searching for the City's missing boat dock. Mr. Pearson used his personal helicopter and gave of his time to try to locate the missing dock.

F. REPORTS

Community Development Corporation met and approved two items which are on this agenda. Donna Boner gave the monthly financial report.

G. VISITORS/CITIZENS AGENDA

Mayor McCaleb opened the Citizens Agenda.

Mikhael Cook, 604 Wildwood Drive, addressed Council to express his displeasure over the work on Beck Avenue. Mr. Cook is very unhappy with the contractor and the City. He stated that the contractor left piles of dirt on Beck and blocked driveways.

T.J. Gilmore, 724 Juniper Lane, Lewisville, new contract administrator from Waste Management, came to introduce himself to Council and offer his assistance.

James Harper, 770 Lacey Oak Lane, addressed Council to request that they be mindful of the city budget and limit financial support to Hidden Valley Management's project to \$100.

Mayor McCaleb closed the Citizens Agenda.

H. CONSENT AGENDA

- 1) **Consideration and Action to approve the minutes of the January 28, 2016 meeting.**
- 2) **Consideration and Action to approve the financials for January 2016.**

Motion to approve the Consent Agenda consisting of the minutes of the January 28, 2016 meeting and the January Financials was made by Councilmember Estrada and second by Councilmember Houdek.

Ayes: Councilmembers Estrada, Houdek, Forgey, and Nolan

Noes: None

Motion Passed

I. BUSINESS

- 1) **Consideration and Action to approve an ordinance to call a general election and a special election on May 7, 2016.**

Motion to approve an ordinance to call a general election and a special election on May 7, 2016 was made by Councilmember Forgey and second by Councilmember Nolan.

Ayes: Councilmembers Forgey, Nolan, Houdek, and Estrada

Noes: None

Motion Passed

- 2) **Consideration and Action to approve a resolution of support for Hamilton Valley Management for a low income housing tax credit and to pledge possible financial assistance through a reduction in building fees.**

Dennis Hoover, Hidden Valley Management, explained their project and answered Council's questions.

Motion to approve a resolution of support for Hamilton Valley Management for a low income housing tax credit and to pledge possible financial assistance through a reduction in building fees not to exceed \$100 was made by Councilmember Nolan and second by Councilmember Estrada.

Ayes: Councilmembers Nolan, Estrada, Houdek, and Forgey

Noes: None

Motion Passed

- 3) **Consideration and Action to approve a CDC project to fund an incentive grant request from Mike Mayberry and TTMJ.**

Interim City Manager Ristagno explained that maintaining the roadways is a responsibility of the City and any opportunity to partner with a developer is always a plus. This is an opportunity to improve the roadway as Mr. Mayberry is in the early phases of his construction at a much reduced cost. Going back in later to resurface the roadway would require cutting into driveways and would be much more expensive. Mr. Mayberry explained his project and answered Council's questions. Councilmembers Estrada stated she felt Myers was not in bad shape and the money would be better spent on other roadways in greater need of repair. Councilmember Houdek agreed and suggested perhaps the money should be used for Wilson Drive which is in the second phase of Mr. Mayberry's development because it is in very bad condition.

Motion to deny a resolution CDC project to fund an incentive grant request from Mike Mayberry and TTMJ was made by Councilmember Houdek and second by Councilmember Estrada.

Ayes: Councilmembers Houdek, Estrada, and Nolan

Noes: Forgey

Motion Passed

4) **Consideration and Action to approve a CDC project to fund road repairs.**

Motion to approve a CDC project to fund road repairs to Kings Manor Drive and the approach to Beck Avenue from Hundley was made by Councilmember Nolan and second by Councilmember Forgey.

Ayes: Councilmembers Nolan, Forgey, Houdek, and Estrada

Noes: None

Motion Passed

5) **Consideration and Action to approve the CDC Audit for Fiscal Year 2015.**

Motion to approve the CDC Audit for Fiscal Year 2015 was made by Councilmember Estrada and second by Councilmember Houdek.

Ayes: Councilmembers Estrada, Houdek, Forgey, and Nolan

Noes: None

Motion Passed

6) **Consideration and Action to direct the Chief of Police to proceed with an ordinance prohibiting the use of hand-held communication devices within the city limits.**

Interim City Manager Ristagno stated that the Mayor has asked for the City to consider an ordinance prohibiting the use of cell phones city-wide on a 24/7 basis. Interim City Manager Ristagno provided Council with information from cities in the Metroplex that have bans on cell phone use in varying degrees.

Mayor McCaleb commented that in his line of work as a bus driver he has seen a lot of problems from the use of cell phones while driving. He has also received information in training classes regarding the statistics of accidents caused as a result of cell phone use when driving. Mayor McCaleb believes this is a serious issue that the City needs to deal with.

Motion to “direct the Chief of Police to proceed in drafting an ordinance prohibiting the use of hand-held communication devices which includes texting within the city limits of Lake Dallas” was made by Councilmember Estrada. No second was made. Councilmember Houdek said, “So you are including voice also?” Councilmember Estrada said, “Excluding voice.” Mayor McCaleb said, “Excluding voice. Okay, do it again, do it again”. Councilmember Estrada said, “I apologize, I apologize, I apologize.”

Amended Motion to “direct the Chief of Police to proceed in drafting an ordinance prohibiting the use of hand-held communications including texting and excluding voice communication within the City of Lake Dallas” was made by Councilmember Estrada and second by Councilmember Forgey.

Ayes: Councilmembers Estrada, Forgey, Houdek, and Nolan

Noes: None

Motion Passed

7) **Consideration and Action to approve expenditure from the Child Safety Fund to purchase a monitor, bracket, and software program for the Lobby.**

This purchase will allow for a television monitor in the Lobby to provide Child Safety related information to visitors in our Municipal Complex.

Motion to approve expenditure from the Child Safety Fund to purchase a monitor, bracket, and software program for the Lobby was made by Councilmember Estrada and second by Councilmember Nolan.

Ayes: Councilmembers Estrada, Nolan, Houdek, and Forgey

Noes: None

Motion Passed

8) Presentation from LEAP Property Management regarding the purchase of city property

Jason Falcon, owner of LEAP Property Management on Betchan Avenue behind City Hall, approached Council about buying a portion of City property located at the rear of the building and adjacent to his property. Mr. Falcon would like to increase his parking area. Council was not favorable to letting go of any City property at this time.

9) Consideration and Action to appoint a committee of the Mayor and one Councilmember to work with the City Manager on a fire contract.

Motion to appoint a committee of the Mayor and Councilmember Nolan, and Councilmember Forgey as an alternate to work with the City Manager on a fire contract was made by Councilmember Estrada and second by Councilmember Houdek.

Ayes: Councilmembers Estrada, Houdek, Forgey, and Nolan

Noes: None

Motion Passed

J. WORKSHOP

1) City Manager Search

Councilmember Nolan reported that she had contacted Strategic Government Resources about contracting with them to conduct a City Manager Search. It will cost approximately \$25,000. Councilmember Nolan will schedule a presentation by SGR.

K. 1) The Council will convene in closed, executive session under Section 551.071 Government Code (Legal Consultation) to consult with and receive legal advice from the City Attorney regarding a potential claim against Lake Haven Estates for gas utility line and repair costs.

Mayor McCaleb adjourned the meeting to go into Executive Session at 9:22 pm.

Mayor McCaleb reconvened the meeting from Executive Session at 9:59 pm.

L. ACTION, IF ANY, FROM EXECUTIVE SESSION

No Action Was Taken

M. NEW AGENDA ITEMS

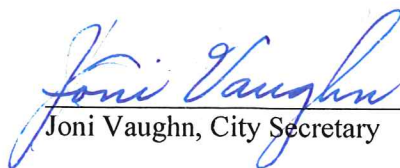
No new items

N. ADJOURNMENT

Mayor McCaleb adjourned the meeting at 10:00 pm.


Mike McCaleb, Mayor




Joni Vaughn, City Secretary