



City of Lewisville, TX

City Council

Agenda

151 W Church Street
Lewisville, Texas 75057

Monday, November 18, 2024

6:30 PM

Lewisville City Hall

Anyone wishing to submit comments prior to the meeting may do so through e-comments. To access e-comments, go to <https://cityoflewisville.legistar.com/Calendar.aspx> and utilize the e-comments link located to the far right hand side of the line containing this meeting details and agenda. E-comments will be accepted until 5:30 p.m. prior to the meeting.

Call to Order and Announce Quorum is Present

Workshop Session - 6:30 P.M.

***Items discussed during Workshop Session may be continued during the Regular Session if time does not permit holding or completing discussion of the item during Workshop Session.*

- A. [Discussion of Consent and Regular Agenda Items](#)
- B. [Easement & ROW Acquisition](#)

Regular Session - 7:00 P.M.

- A. **Invocation - Council Member Kristin Green**
 - B. **Pledge to the American and Texas Flags - Mayor Pro Tem Patrick Kelly**
 - C. **Proclamations/Recognitions**
 - 1. [Proclamation Declaring the Week of November 17-23, 2024, as "Hunger and Homelessness Awareness Week".](#)
 - 2. [Proclamation Recognizing the 25th Anniversary of the Texas Master Naturalist-Elm Fork Chapter.](#)
 - 3. [Recognition of Parks and Recreation Department Employee Miranda Maloy for Receiving the National Recreation and Park Association's Young Professional Fellowship.](#)
 - D. **Public Hearing**
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1. [Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for a Gasoline Service Station; on 10.5078 Acres Legally Described as Lot 41R, Block C, Valley Ridge Business Park West, Zoned General Business District \(GB\) and Located at 751 West Main Street; as Requested by Ryan Alvarez, Kimley Horn & Associates, on Behalf of Wal-Mart Stores #18-6381, the Property Owner. \(Case No. 24-05-6-SUP\).](#)

ADMINISTRATIVE COMMENTS:

Sam's Club is proposing to add two new fuel dispensers to the existing gasoline service station located on the southeast portion of the property. The Planning and Zoning Commission recommended unanimous approval (7-0) on October 15, 2024.

RECOMMENDATION:

That the City Council approve the ordinance as set forth in the caption above.

AVAILABLE FOR QUESTIONS:

Richard E. Luedke, AICP, Planning Director

2. [Public Hearing: Consideration of an Ordinance Granting a Zone Change From Agriculture Open Space \(AO\) District to Light Industrial \(LI\) District, on 4.909 Acres out of the P. Higgins Survey, Abstract 525; Located at 610 Holfords Prairie Road; as Requested by Ali Reza Ravjani, the Property Owner. \(24-08-8-Z\)](#)

ADMINISTRATIVE COMMENTS:

The subject property is located on the west side of Holfords Prairie Road, approximately 72 feet north of Oak Tree Lane. The property owner wishes to rezone the property to Light Industrial to facilitate a future office/warehouse development. The Planning and Zoning Commission recommended unanimous (7-0) approval on October 15, 2024.

RECOMMENDATION:

That the City Council approve the ordinance as set forth in the caption above.

AVAILABLE FOR QUESTIONS:

Richard E. Luedke, AICP, Planning Director

E. Visitor/Citizens Forum

Speakers must address their comments to the Mayor rather than to individual Council members or staff. Speakers should speak clearly and state their name and address prior to beginning their remarks. Speakers will be allowed 5 minutes for testimony. Speakers making personal, impertinent, profane or slanderous remarks may be removed from the meeting. Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted. In accordance with the Texas Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

F. Consent Agenda

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so request. For a citizen to request removal of an item, a speaker card or e-comment must be filled out and submitted to the City Secretary.

3. [APPROVAL OF MINUTES: Minutes of the October 15, 2024, Called-Special Joint Meeting of the City Council and Planning and Zoning Commission and City Council Minutes of the November 4, 2024, Workshop Session, and Regular Session.](#)
4. [Authorization for the City Manager, or Her Designee, to Execute a 5 year Lease Agreement with APG Properties, LLC for the City Health Clinic Managed by Marathon Health Located at 190 Civic Circle.](#)

ADMINISTRATIVE COMMENTS:

The City's employee wellness clinic, Wellness Works, opened in January 2014 in a 1200 square foot facility. Over the last 10 years the City has added staff to the clinic, as well as additional behavioral health options, and a new, larger space is needed. The new space is 2250 square feet and adjacent to the Library, Herring Recreation Center and the Tittle McFadden Public Safety Center. The amount of the lease is \$50,013 in year one, and approximately \$47,231 in year two, \$48,501 in year three, \$49,823 in year four, and \$51,201 in year five. Funding for this move is available in the Health Benefit Trust Fund.

RECOMMENDATION:

That the City Council approve the lease agreement and authorize the City

Manager, or her designee, to execute all necessary documents as set forth in the caption above.

5. [Approval of a Change Order to a Local Project Advance Funding Agreement With the Texas Department of Transportation in the Amount of \\$113,392.84 Related to Construction and Funding for Aesthetic Improvements for the FM 1171 Interchange at I-35, Specifically Regarding the Addition of the Words Fighting Farmers Way to the Face of the Main Street Overpass; and Authorization for the City Manager, or Her Designee, to Execute the Change Order.](#)

ADMINISTRATIVE COMMENTS:

A Local Project Advance Funding Agreement (LPAFA) for aesthetic improvements for the I-35E interchange at Main Street was approved in December 2022 for a total of \$3,201,472.96. The LPAFA covers the City's cost for aesthetic improvements including wall murals, lighting, decorative pavement, raised planters, banner poles and landscape irrigation. In May 2023, the City Council changed the name of Main Street to Fighting Farmers Way from the northbound I-35 Service Road to the southbound I-35 Service Road to enable bridge signage to include the words "Fighting Farmers Way". Staff engaged WPS Inc. to design signage for both faces of the Main Street bridge indicating the new street name and the subject design was submitted to TxDOT. TxDOT has submitted a change order to the original funding agreement to include the cost of the additional bridge signage. The cost for the additional bridge signage is \$113,392.84 bringing the total cost of the interchange aesthetics to \$3,314,865.70.

RECOMMENDATION:

That the City Council approve the change order and authorize the City Manager, or her designee, to execute the agreement as set forth in the caption above.

AVAILABLE FOR QUESTIONS:

David Salmon, P.E., City Engineer

6. [Approval of an Economic Development Agreement Between the City of Lewisville and Old Town Craft LLC; and Authorization for the City Manager, or Her Designee, to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

Old Town Craft LLC (“Company”) wishes to lease city-owned property located at 206 West Main Street and 207 Elm Street (collectively referred to as the “Property”) for a term of up to seven (7) years, with a right of first refusal to purchase the Property. The Company is proposing to invest a minimum of \$800,000 into redevelopment of the property and operate a taproom, beer garden, cocktail bar, and food truck park with a minimum of three food trucks. The Company has experience operating many similar businesses in Denton, such as East Side Denton, Miss Angeline’s, and Oak Street Draft House, as well as in Dallas and Florida. As consideration for redevelopment and activation of the Property, the proposed agreement includes (1) a waiver of all building permit fees associated with the project; (2) a grant equal to one hundred percent (100%) of the water and sanitary sewer impact fees paid to the City for the project; (3) a grant of up to 50% of the tenant and/or façade improvement costs for both buildings, with a maximum grant amount of \$80,000; (4) a grant of up to 50% of the cost of a mural on the 207 Elm building, with a maximum grant amount of \$40,000; and (5) a grant not to exceed \$75,000 related to planting a minimum of five mature trees on the Property. Funding is available from the Utility Fund, the Old Town Facade Capital Project, tree mitigation, and Tax Increment Reinvestment Zone #1.

RECOMMENDATION:

That the City Council approve the agreement and authorize the City Manager, or her designee, to execute the agreement as set forth in the caption above.

7. [Approval of the First Amendment to the Professional Services Agreement Between the City and Marathon Health, LLC Changing the Location of the Wellness Clinic; and Authorize the City Manager, or Her Designee, to Execute all Necessary Documents.](#)

ADMINISTRATIVE COMMENTS:

The City is relocating the employee wellness clinic to 190 Civic Circle. The Professional Services Agreement requires an amendment to update the location.

RECOMMENDATION:

That the City Council approve the amendment and authorize the City Manager, or her designee, to execute all necessary documents as set forth in the caption

above.

G. Regular Hearing

8. [Consideration of a Bid Award for Construction Services for W. College Street Paving and Utilities and Mill Street Parking to Axis Contracting, Inc., Forney, TX, in the Amount of \\$5,638,376.30 and Authorization for the City Manager, or Her Designee, to Execute the Contract.](#)

ADMINISTRATIVE COMMENTS:

The project includes construction of new street paving on West College Street from Mill Street to Cowan Avenue, sidewalk improvements from Mill Street to Wayne Frady Park, new public utilities, and street calming features, including landscaped bump-outs. The project also includes back-in parking on Mill Street across from Whatley Avenue. A total of eighty-nine (89) bid invitations were downloaded from Bonfire. Seven (7) bids were received and opened on September 5, 2024. After evaluation of the bids, staff recommends Axis, Inc. as the lowest responsible bidder. Funding is available in the West College Street capital project.

RECOMMENDATION:

That the City Council approve the bid award and authorize the City Manager, or her designee, to execute the contract as set forth in the caption above.

- ## H. Reports
- Reports about items of community interest regarding which no action will be taken.

1. [City Council and Staff Reports](#)

I. Return to Workshop Session if Necessary

J. Closed Session

In Accordance with Texas Government Code, Subchapter D,

1. *Section 551.071 (Consultation with Attorney): Legal issues related to supplemental use regulations for Manufacturing, Light Intensity, Manufacturing, Medium Intensity, Manufacturing, Heavy Intensity, and Warehouse Distribution Facility uses.*
2. *Section 551.072 (Real Estate): Property Acquisition*
3. *Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations.*

K. Reconvene into Regular Session and Consider Action, if Any, on Items Discussed in Closed Session.

L. Adjournment

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City will provide appropriate auxiliary aids and services, including sign language interpreters and assisted listening devices, whenever necessary to ensure effective communication with members of the public who have hearing, sight or speech impairments, unless doing so would result in a fundamental alteration of its programs or an undue financial burden. A person who requires an accommodation or auxiliary aid or service to participate in a City program, service or activity, should contact the sponsoring Department, or the Human Resource Department at 972-219-3450 or by Fax at 972-219-5005 as far in advance as possible but no later than 48 hours before the scheduled event.

The City Council reserves the right, upon an approved motion, to suspend the rules to consider business out of the posted order.

The City Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

The Texas Open Meetings Act, codified in Chapter 551 of the Texas Government Code, does not require an agenda posting where there is a gathering of a quorum of the City Council at a social function unrelated to the public business that is conducted by the City Council, or the attendance by a quorum of the City Council at a regional, state or national convention or workshop, ceremonial event or press conference if formal action is not taken and any discussion of public business is incidental to the social function, convention, workshop, ceremonial event or press conference. The City Secretary's Office may occasionally post agendas for social functions, conventions, workshops, ceremonial events or press conferences; however, there is no legal requirement to do so and in the event a social function, convention, workshop, ceremonial event or press conference is not posted by the City Secretary's Office, nothing shall preclude a quorum of the City Council from gathering as long as "deliberations" within the meaning of the Texas Open Meetings Act do not occur.

I do hereby certify that the above notice of meeting of the City of Lewisville City Council was posted at City Hall, City of Lewisville, Texas in compliance with Chapter 551, Texas Government Code on _____, 2024 at _____ AM.

Thomas Harris III, City Secretary