

LEWISVILLE CITY COUNCIL

REGULAR SESSION

April 15, 2024

6:45 P.M.

Present:

TJ Gilmore, Mayor

Council Members:

William Meridith, Mayor Pro Tem
Patrick Kelly, Deputy Mayor Pro Tem
Bob Troyer
Ronni Cade
Brandon Jones
Kristin Green

City Staff:

Claire Powell, City Manager
Gina McGrath, Deputy City Manager
Shante Akafia, Assistant City Manager
Jim Proce, Assistant City Manager
Lizbeth Plaster, City Attorney
Lauren Crawford, Deputy City Attorney
Thomas Harris III, City Secretary
Jennifer Malone, Assistant City Secretary

With a quorum of the Council Members present, the workshop session of the Lewisville City Council was called to order by Mayor Gilmore at 6:45 p.m. on Monday, April 15, 2024, in the City Council Conference Room of Lewisville City Hall, 151 West Church Street, Lewisville, Texas. City Department Heads were also in attendance.

WORKSHOP SESSION

Discussion of Regular Agenda Items and Consent Agenda Items

(Agenda Item A)

Mayor Gilmore led a discussion of regular agenda items and consent agenda items and received questions and comments from City Council and City staff. Marichelle Samples, Director of Economic Development gave comments and answered questions from Council regarding Item G-11. Director of Neighborhood and Inspection Services Chris McGinn gave comments and answered questions from Council regarding Item H-12.

REGULAR SESSION

With a quorum of the Council Members present, the regular session of the Lewisville City Council was called to order by Mayor Gilmore at 7:00 p.m. on Monday, April 15, 2024.

Invocation

(Agenda Item A)

At the request of Mayor Gilmore, Councilmember Brandon Jones gave the invocation.

Pledge to the American and Texas Flags

(Agenda Item B)

At the request of Mayor Gilmore, Deputy Mayor Pro Tem Patrick Kelly gave the pledge to the United States and Texas flags.

**Proclamation Declaring the Month of May,
2024 as “Mental Health Month” and May 9,
2024 as “Children’s Mental Health Awareness
Day.”**

(Agenda Item C-1)

Mayor Gilmore presented the proclamation to Police Chief Brook Rollins.

**Proclamation Declaring the Week of April 15
19, 2024 as “National Public Safety
Telecommunicators Week”**

(Agenda Item C-2)

Mayor Gilmore presented the proclamation to Public Safety Dispatcher Kristy Fitzgerald.

Council Canines

(Agenda Item D-1)

The Gene Carey Animal Shelter and Adoption Center is currently at capacity for large dogs. A City Council will highlight a large dog for adoption. The adoption fee for this pet has been waived and all adoptions come with sterilization, microchip, rabies vaccination, and one year of City registration (if Lewisville resident). The Gene Carey Animal Shelter and Adoption Center is located at 995 E. Valley Ridge Blvd. Adoption Center hours are Tuesday from 12 p.m. – 7 p.m., Wednesday – Friday from 10 a.m. – 5 p.m., and Saturday from 12 p.m. – 5 p.m.

A video was shown with Mayor Pro Tem William Meridith highlighting the Council canine for April 15, 2024.

Public Hearing

(Agenda Item E)

Visitors/Citizens Forum

(Agenda Item F)

Lawrence Guard, 1401 Primrose Lane, Lewisville, TX 75077, was called to speak and spoke regarding an aggressive dog and animal policies.

Elizabeth Flores, 998 Regency Drive, Lewisville, TX 75067, was called to speak and spoke regarding city signs and communication.

CONSENT AGENDA

(Agenda Item G)

MOTION: Upon a motion made by Councilmember Troyer and seconded by Deputy Mayor Pro Tem Kelly, the Council voted six (6) “ayes” and no (0) “nays” to approve the Consent Agenda as presented.

1. **APPROVAL OF MINUTES:** City Council Minutes of the April 1, 2024, Workshop Session, and Regular Session.
2. Approval of an Agreement with Skyrim Studios, Inc. in the Amount of \$320,000 for Creation and Installation of a Permanent Work of Art at the Tittle McFadden Public Safety Center; and Authorization for the City Manager, or Her Designee, to Execute the Agreement.
3. Approval of a Contract with Integrated Environmental Solutions, LLC., McKinney, Texas in the Estimated Annual Amount of \$92,775 for Urban Forest Management Services; and Authorization for the City Manager, or Her Designee, to Execute the Contract
4. Approval of a Contract for Construction Services for the Corporate Drive Segments 4 and 5 Project to Sundt Construction, Inc., Irving, TX, in the Amount of \$29,758,039 and Authorization for the City Manager, or Her Designee, to Execute the Contract.
5. Approval of a Quitclaim Deed for a 0.242 Acre Portion of an Abandoned Segment of East Main Street Located Between Existing East Main Street and Valley Ridge Blvd within Lot 1, Block A, Green Industrial Addition in the City of Lewisville and Authorization for the City Manager, or Her Designee, to Execute the Quitclaim Deed.
6. Approval of a Professional Services Agreement Between the City of Lewisville and Kimley Horn and Associates for Architectural and Engineering Design Services for the Old Town Lewisville Gateways in the Amount of \$95,000; and

Authorization for the City Manager, or Her Designee, to Execute the Agreement.

7. Approval of a Professional Services Agreement with Birkhoff, Hendricks & Carter, L.L.P., Dallas, TX, in the Amount of \$1,599,500 for Professional Engineering Services for the Midway Branch Force Main; and Authorization for the City Manager, or her Designee, to Execute the Agreement.
8. Approval of a Bid Award for Landscape Services at Lewisville City Hall and the Visitor Information Center in the Amount of \$240,890.70 to American Landscape Systems; and Authorization for the City Manager, or Her Designee, to Execute the Agreement.
9. Approval of a Local Project Advance Funding Agreement With the Texas Department of Transportation in the Amount of \$11,788,504.59 Related to Construction and Funding for Aesthetic Improvements for the S.H. 121 Business and Corporate Drive Interchanges at I-35; and Authorization for the City Manager, or Her Designee, to Execute the Agreement.
10. Approval of a Transportation Consultation Services Agreement with Innovative Transportation Solutions, Inc. in the Amount of \$90,000; and Authorization for the City Manager, or Her Designee, to Execute the Agreement.
11. Approval of an Economic Development Agreement Between the City of Lewisville and TSMJV LLC; and Authorization for the City Manager, or Her Designee, to Execute the Agreement.

The motion carried.

REGULAR HEARING

Consideration of Ordinance No. 0651-24-ORD an Ordinance of the City Council Amending the Fee Schedule of the City of Lewisville by Amending Fees Related to Community Development Block Grant Funded Residential Rehabilitation Programs.

(Agenda Item H-12)

In August 2020, the City of Lewisville allocated Community Development Block Grant (CDBG) funding designated for the Minor Housing Rehabilitation Program. The program was designed to provide Heating Ventilation and Air Conditioning (HVAC) repairs, replacements, or installations for low to moderate income Lewisville homeowners. During HVAC repairs, replacements or installations electrical, mechanical, and plumbing permit(s) may be required dependent on each household's need. Permits required have a minimum cost of \$50 per permit that the HVAC

Contractor must acquire prior to work being performed on the household. The City of Lewisville will continue to require permitting for household's receiving assistance through the Minor Housing Rehabilitation Program. To ensure funds provided by the City of Lewisville to the selected HVAC contractor are spent on HVAC repair, replacement, or installation, rather than permit costs, city staff requests permitting fees listed in the ordinance be waived for households receiving assistance through the program. City Staff has written this amendment broadly to cover future CDBG funded residential rehabilitation programs.

The City staff's recommendation was that the City Council approve the ordinance as set forth in the caption above.

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

"An Ordinance of the Lewisville City Council Amending the Fee Schedule of the City of Lewisville by Waiving Permit Fees for Certain Residential Electrical, Mechanical, and Plumbing Permits Required for Work to be Performed as Part of City of Lewisville Community Development Block Grant-Funded Residential Rehabilitation Programs; Providing for a Repealer, Severability, and an Effective Date; and Declaring an Emergency."

MOTION: Upon a motion made by Councilmember Green and seconded by Councilmember Jones, the Council voted six (6) "ayes" and no (0) "nays" to approve Ordinance No. 0651-24-ORD as set forth in the caption. The motion carried.

**Consideration of the Proposed FY 2024-
25 Budget Calendar.**

(Agenda Item H-13)

City staff has provided a calendar showing the important upcoming dates for City Council meetings regarding the City's budget process. The Budget Workshop is currently scheduled for August 10, 2024.

The City staff's recommendation was that the City Council approve the budget calendar as set forth in the caption above.

MOTION: Upon a motion made by Councilmember Jones and seconded by Mayor Pro Tem Meridith, the Council voted six (6) "ayes" and no (0) "nays" to approve the budget calendar as set forth in the caption. The motion carried.

**Consideration of Acceptance of the
Resignation of Robyn Johnston,
Place No. 2, on the Community
Development Block Grant Advisory
Committee; Declaring a Vacancy
Exists for Place No. 2 on the**

**Community Development Block
Grant Advisory Committee; and an
Appointment to Place No. 2 on the
Community Development Block
Grant Advisory Committee.**

(Agenda Item H-14)

A resignation was received from Robyn Johnston, Place No. 2, on the Community Development Block Grant Advisory Committee. Five (5) applications have been submitted meeting the qualifications for service in this position.

The City staff's recommendation was that the City Council accept the resignation, declare one vacancy and consider an appointment to the Community Development Block Grant Advisory Committee as set forth in the caption above.

MOTION: Upon a motion made by Mayor Pro Tem Meridith and seconded by Councilmember Jones, the Council voted six (6) "ayes" and no (0) "nays" to accept the resignation, declare one vacancy and appoint Akber Allana to the Community Development Block Grant Advisory Committee Place No. 2, as set forth in the caption. The motion carried.

Reports

(Agenda Item I)

City Council and Staff Reports

(Agenda Item I-1)

- Councilmember Cade reported encouraged everyone to adopt a dog from the shelter.
- Mayor Pro Tem Meridith reported on upcoming Lewisville Library activities.
- Councilmember Troyer reported on upcoming Lewisville Grand events.
- City Secretary Thomas Harris III reminded everyone that April 21 is the first day of early voting.
- Director of Public Services Aaron Russell reported on the lake level.
- Assistant City Manager Jim Proce provided an update on the Tittle McFadden Public Safety Center Construction Project.
- Deputy City Manager Gina McGrath reported that a class from NCTC Texas Government are present in the audience and reminded the students that the City of Lewisville has internship opportunities.
- Director of Community Relations and Tourism James Kunke reported on the Solarbration event.
- Deputy Mayor Pro Tem Kelly reported on the upcoming ColorPalooza and reported that he has visited Old Town Lewisville for the past couple of weeks and reminded everyone that there is a lot to do in Old Town.
- Councilmember Green reported that we still need volunteers for ColorPalooza and reminded everyone that there are a lot of activities at the event.

**LEWISVILLE CITY COUNCIL
REGULAR SESSION
APRIL 15, 2024**

Page 7

- Councilmember Jones reminded everyone that they can use the R Lewisville Texas app to submit requests.
- Mayor Gilmore reported on an upcoming native plant sale in Flower Mound on April 27. For more information visit the Native Plant Society of Texas Elm Fork Chapter

Mayor Gilmore RECESSED into Closed Session at 7:36 p.m.

Return to Workshop Session if Necessary

(Agenda Item J)

Closed Session

(Agenda Item K)

Mayor Gilmore RECESSED into Closed Session at 7:36 p.m.

1. Section 551.071 (Consultation with Attorney/Pending Litigation): Yuri Hayasaka v. Rang One Holdings, LLC, d/b/a Wyatt James Builders v. City of Lewisville, Texas, Cause No. 493 01870 2023, 493rd District Court, Collin County, Texas
2. Section 551.072 (Real Estate): Property Acquisition
3. Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations.
4. Section 551.074 (PERSONNEL):
 - (a) City Secretary Thomas Harris III

**Reconvene and Consider Action, if any, on
Items Discussed in Closed Session**

(Agenda Item L)

Mayor Gilmore RECONVENED into Regular Session at 8:05 p.m.

MOTION: Upon a motion made by Mayor Pro Tem Meridith and seconded by Councilmember Green, the Council voted six (6) “ayes” and no (0) “nays” to:

- (1) increase the City Secretary’s base salary to \$147,886;
 - (2) amend the City Secretary’s contract to reflect this pay increase and clarify the timing of pay increases; and
 - (3) authorize the mayor to execute said amendment.
- The motion carried.

MOTION: Upon a motion made by Mayor Pro Tem Meridith and seconded by Councilmember Troyer, the Council voted six (6) “ayes” and no (0) “nays” to:

- (A) settle Yuri Hayasaka v. Rang One Holdings, LLC, d/b/a Wyatt James Builders v. City of Lewisville, Texas, Cause No. 493- 01870-2023 by waiving the requirement to have a sidewalk between the townhomes at 100 through 110 Samuel Street and the street itself, as required by Section IX 4.8, Sidewalks and Trails, of Subpart 5, Land Development Regulations, of the Unified Development

Code, contingent on Rang One Holdings, LLC, d/b/a Wyatt James Builders completing the following within 30 days:

(1) removing the existing handicap accessible ramps at both ends of the townhomes on Samuel Street, (2) replacing them with ramps that comply with the Americans with Disabilities Act and that travel and terminate into Samuel Street, and (3) providing a 2-year maintenance bond covering the full value of the improvements; provided however, that the City Manager may, at her discretion, extend the deadline for completion for up to an additional 30 days; and (B) authorize the City Manager, City Attorney, and their designees to execute any necessary documents to carry out the settlement as set forth. The motion carried.

Adjournment

(Agenda Item M)

There being no further business to come before the Council, Mayor Gilmore adjourned the meeting of the Lewisville City Council at 8:06 p.m. on Monday, April 15, 2024.

These minutes approved by the Lewisville City Council on the 6th day of May, 2024.

APPROVED

TJ Gilmore
MAYOR

ATTEST:

Thomas Harris III,
CITY SECRETARY