

# LEWISVILLE CITY COUNCIL

## REGULAR SESSION

AUGUST 6, 2018

### **Present:**

Rudy Durham, Mayor

### **Council Members:**

TJ Gilmore

Bob Troyer

R Neil Ferguson

Brent Daniels, Mayor Pro Tem (absent)

Brandon Jones, Deputy Mayor Pro Tem

### **City Staff:**

Donna Barron, City Manager

Eric Ferris, Deputy City Manager

Claire Swann, Assistant City Manager

Melinda Galler, Assistant City Manager

Julie Worster, City Secretary

Lizbeth Plaster, City Attorney

### **WORKSHOP SESSION – 6:30 P.M.**

With a quorum of the Council Members present, the workshop session of the Lewisville City Council was called to order by Mayor Durham at 6:30 p.m. on Monday, August 6, 2018, in the City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas. All City Department Heads were in attendance.

### **Discussion of Proposed Atmos 12-inch High Pressure Gas Main Installation**

**(Agenda Item A)**

At the request of City Manager Barron, City Engineer David Salmon conducted the attached PowerPoint Presentation for City Council consideration. Representatives from Atmos were present to address any questions posed by the City Council.

Discussion was held regarding notification of the projects for the residents as well as how the mail would be handled by the Post Office. Jan Rugg, Manager of Public Affairs, Mid-Tex Division, Atmos Energy Corporation addressed these questions and assured the City Council that there would be continual information being sent to the affected residents to keep them updated on the project. Additional representatives advised that notification would begin toward the end of this year both in person and by mail. Additional discussion was held regarding how Atmos dealt with other service providers. Ms. Rugg advised that they had a good working relationship with Waste Management and had plans in place throughout the project to notify them, as well as

**WORKSHOP SESSION – 6:30 P.M.**

**Discussion of Proposed Atmos 12-inch High  
Pressure Gas Main Installation (con't)**

**(Agenda Item A)**

first responders. Councilman Gilmore requested that some type of public meeting be considered to also notify that public.

Discussion was held regarding trees that may be negatively affected. City Engineer David Salmon advised that Atmos was committed to following the City's tree protection ordinance so if a tree is lost then it would be replaced on the City's right of way. Further discussion was held regarding what the warranty time period is on trees affected by the work being done. Representatives from Atmos assured the City Council regarding their commitment to replacing trees. Councilman Ferguson advised he wanted some type of written assurance regarding tree warranty.

City Manager Barron advised that once more information was available City staff would bring back a workshop item regarding the proposed gas main replacement that will directly affect some residential lots on Oriole, a lot on Bogard, a lot on Pinehurst and several lots on Balleyduff Drive.

Due to time limitations, Mayor Durham moved on to Discussion of Regular Agenda Items and Consent Agenda Items.

**Discussion of Regular Agenda Items and  
Consent Agenda Items (cont'd)**

**(Agenda Item D)**

Mayor Durham reviewed Agenda Item A, Invocation. There was no discussion on this item.

Mayor Durham reviewed Agenda Item B, Pledge to the American and Texas Flags. There was no discussion on this item.

Mayor Durham reviewed Agenda Item C-1, Public Hearing: Consideration of an Ordinance Granting a Special Use Permit (SUP) for an Expansion of a Recreational Vehicle Display, Sales (Outdoor) and Repair Facility and Two Associated Variances Regarding Landscaping and Screening; on Approximately 13.4232-Acres Legally Described as Lot 1R, Block A, National Indoor Storage Addition and Lot 1, Block A, Auto Master Addition; Located at 498 East State Highway 121 Business, Zoned Light Industrial District (LI) and General Business District (GB) as Requested by David Norris, Foresite Group, on Behalf of National Indoor Storage I, LLC dba National Indoor RV Centers, the Property Owner. (Case No. SUP-2018-06-10). There was no discussion on this item.

**WORKSHOP SESSION – 6:30 P.M.**

**Discussion of Regular Agenda Items and  
Consent Agenda Items (cont'd)**

**(Agenda Item D)**

Mayor Durham reviewed Agenda Item C-2, Public Hearing: Consideration of a Resolution Authorizing the Adoption of the Community Development Block Grant 2018 Annual Action Plan and an Amendment to the 2015 Alvin Turner Sr. Park Project; Authorization for the City Manager to Submit the Plan to the U.S. Department of Housing and Urban Development; and Acknowledgment of Receipt of the Recommended FY 2018-2019 City Social Service Agency Fund Budget of \$170,000 From the CDBG Advisory Committee. There was no discussion on this item.

Mayor Durham reviewed Agenda Item D, Visitors/Citizens Forum. There was no discussion on this item.

Mayor Durham reviewed Agenda Item E-3, Approval Of Minutes: a) City Council Minutes of the July 2, 2018, Workshop Session and Regular Session; and b) City Council Minutes of the July 16, 2018, Workshop Session and Regular Session. There was no discussion on this item.

Mayor Durham reviewed Agenda Item E-4, Approval of an Economic Development Agreement Between the City of Lewisville and FR Lewisville Midway, LLC; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Durham reviewed Agenda Item E-5, Approval of an Economic Development Agreement Between the City of Lewisville and Rockbrook Development LLC; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Durham reviewed Agenda Item E-6, Approval of an Economic Development Agreement Between the City of Lewisville and REDevX 1 LP; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Durham reviewed Agenda Item E-7, Approval of Amendment #1 to a Local Project Advance Funding Agreement (LPAFA) With the Texas Department of Transportation Related to Construction and Funding of Valley Ridge Blvd; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Durham reviewed Agenda Item E-8, Approval of Lighting Agreements Among the City of Lewisville, Main & Mill Business Association, and Property Owners to Allow the City to Install and Maintain LED Lights on Buildings Facing Main Street Between Charles and Mill Street; and Authorization for the City Manager to Execute the Agreements. There was no discussion on this item.

**WORKSHOP SESSION – 6:30 P.M.**

**Discussion of Regular Agenda Items and  
Consent Agenda Items (cont'd)**

**(Agenda Item D)**

Mayor Durham reviewed Agenda Item F-9, Consideration of Three Variances to the Code of Ordinances of the City of Lewisville, Chapter 6, Article VI (Landscape Requirements), Sections 6-123 (b) and 6-144 and Chapter 4, Article II Section 4-28 108.5.(a) Regarding Landscaping and Outdoor Receptacles for KAI Office Development, Located at 802 North Stemmons Freeway; Legally Described as Lot 2R, Block A, ZUBL Addition; as Requested by Josh Barton of G&A Consultants, on Behalf of Chuck Burkhart, the Owner. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-10, Consideration of a Variance to the Lewisville City Code Section 6-91 Construction Standards, for the Garden Ridge Trail Project Located on Garden Ridge Blvd., Valley Parkway and Civic Circle, as Requested by City Staff. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-11, Consideration of a Variance to the Lewisville City Code Section 6 123(b), Multi-Family and Non-Residential Landscaping Requirements, for the Thrive Project, Located at 1950 South Valley Parkway, as Requested by City Staff. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-12, Consideration of a Resolution Establishing a Public Hearing Date for September 17, 2018 to Consider Amendments to the Land Use Assumptions, Water & Wastewater Capital Improvements Plan, and Associated Capital Recovery (Impact) Fees; and Authorizing the Issuance of Notice and Publication of Said Public Hearing by the City Secretary. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-13, Consideration of Acceptance of Resignation of Dr. Marie S. Burke From Place No. 7 on the Animal Services Advisory Committee; Declare Vacancy Exists on the Animal Services Advisory Committee; and Consideration of an Appointment to Place No. 7 on the Animal Services Advisory Committee. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-14, Consideration of a Resolution Appointing One Member to the Board of Managers of the Denco Area 9-1-1 District. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G, Reports. There was no discussion on this item.

Mayor Durham reviewed Agenda Item H-Closed Session. There was no discussion on this item.



**LEWISVILLE CITY COUNCIL  
REGULAR SESSION  
AUGUST 6, 2018**

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With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:57 p.m. on Monday, August 6, 2018.

**REGULAR SESSION – 7:00 P.M.**

With a quorum of the Council Members present, the regular session of the Lewisville City Council was called to order by Mayor Durham at 7:00 p.m. on Monday, August 6, 2018, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

**Invocation**

**(Agenda Item A)**

At the request of Mayor Durham, Councilman Gilmore gave the invocation.

**Pledge to the American and Texas Flags**

**(Agenda Item B)**

At the request of Mayor Durham, Councilman Ferguson gave the pledge to the American and Texas flags.

**Public Hearing: Consideration of Ordinance  
No. 0045-18-SUP Granting a Special Use  
Permit (SUP) for an Expansion of a  
Recreational Vehicle Display, Sales  
(Outdoor) and Repair Facility and Two  
Associated Variances Regarding  
Landscaping and Screening; on  
Approximately 13.4232-Acres Legally  
Described as Lot 1R, Block A, National  
Indoor Storage Addition and Lot 1, Block A,  
Auto Master Addition; Located at 498 East  
State Highway 121 Business, Zoned Light  
Industrial District (LI) and General Business  
District (GB) as Requested by David Norris,  
Foresite Group, on Behalf of National Indoor  
Storage I, LLC dba National Indoor RV  
Centers, the Property Owner. (Case No.  
SUP-2018-06-10)**

**(Agenda Item C-1)**

The request is for the expansion of the existing National Indoor RV. The applicant plans to expand the use through the current lot and onto the adjacent lot to the south. They will construct a new 49,990 square foot building for offices, sales, and repair. The applicant will create a landscape focal point at the southern portion of the property, remove existing pole signs and replace them with a monument sign, and add a screening wall along a portion of the site. The applicant is requesting two variances; a) In lieu of the three tree islands in RV parking display area on the southern portion of the property, six trees will be planted along the northern property line,

**Public Hearing: Consideration of Ordinance No. 0045-18-SUP Granting a Special Use Permit (SUP) for an Expansion of a Recreational Vehicle Display, Sales (Outdoor) and Repair Facility and Two Associated Variances Regarding Landscaping and Screening; on Approximately 13.4232-Acres Legally Described as Lot 1R, Block A, National Indoor Storage Addition and Lot 1, Block A, Auto Master Addition; Located at 498 East State Highway 121 Business, Zoned Light Industrial District (LI) and General Business District (GB) as Requested by David Norris, Foresite Group, on Behalf of National Indoor Storage I, LLC dba National Indoor RV Centers, the Property Owner. (Case No. SUP-2018-06-10) (cont'd)**

**(Agenda Item C-1)**

and b) In lieu of masonry screen wall fence an eight foot tubular steel fence shall be installed along the southern property line to be erected with irrigation and planting of hedge to be eight feet height at full growth. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting on June 19, 2018.

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

Mayor Durham opened the public hearing.

Richard E. Luedke, Planning Director, was available to address any questions posed by the City Council.

Hal Kendrick, 498 East 121, Lewisville, Texas, representing National Indoor RV Centers, spoke before the City Council in favor of this request.

**MOTION:** Upon a motion made by Councilman Ferguson and seconded by Deputy Mayor Pro Tem Troyer, the Council voted four (4) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

**Public Hearing: Consideration of Ordinance No. 0045-18-SUP Granting a Special Use Permit (SUP) for an Expansion of a Recreational Vehicle Display, Sales (Outdoor) and Repair Facility and Two Associated Variances Regarding Landscaping and Screening; on Approximately 13.4232-Acres Legally Described as Lot 1R, Block A, National Indoor Storage Addition and Lot 1, Block A, Auto Master Addition; Located at 498 East State Highway 121 Business, Zoned Light Industrial District (LI) and General Business District (GB) as Requested by David Norris, Foresite Group, on Behalf of National Indoor Storage I, LLC dba National Indoor RV Centers, the Property Owner. (Case No. SUP-2018-06-10) (con't)**

**(Agenda Item C-1)**

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

“An Ordinance of the Lewisville City Council, Amending the Zoning Ordinance by Granting a Special Use Permit for an Expansion of a Recreational Vehicle Display, Sales (Outdoor) and Repair Facility, on Approximately 13.4232 Acres, Legally Described as Lot 1R, Block A, National Indoor Storage Addition and Lot 1, Block A, Auto Master Addition, Located at 498 East State Highway 121 Business and Zoned General Business District (GB) and Light Industrial District (LI); Providing for a Repealer, Severability, Penalty, and an Effective Date; and Declaring an Emergency.”

**MOTION:** Upon a motion made by Councilman Ferguson and seconded by Mayor Pro Tem Jones, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 0045-18-SUP**, as previously captioned. The motion carried.

**Public Hearing: Consideration of Resolution No. 0046-18-RES Authorizing the Adoption of the Community Development Block Grant 2018 Annual Action Plan and an Amendment to the 2015 Alvin Turner Sr. Park Project; Authorization for the City Manager to Submit the Plan to the U.S. Department of Housing and Urban Development; and Acknowledgment of Receipt of the Recommended FY 2018-2019 City Social Service Agency Fund Budget of \$170,000 From the CDBG Advisory Committee**

**(Agenda Item C-2)**

An Annual Action Plan must be submitted to the U.S. Dept. of Housing and Urban Development (HUD) by August 15 as a requirement to receive Community Development Block Grant (CDBG) funds of \$699,808 in FY 2018-2019. The CDBG Advisory Committee reviewed applications submitted by non-profit agencies for projects that address HUD national objectives and 2017 Consolidated Plan priorities. At their June 19, 2018 meeting, the Committee, by a vote of 5-0, recommended a draft budget which has been incorporated into the Action Plan. The Plan was made available for a 30 day Public Comment period from July 6, 2018 through August 6, 2018. The amendment to the Turner Sr. Park Project is required to change the scope of the park improvements. The revised project will install exercise and recreational equipment.

The City staff's recommendation was that the City Council approve the resolution, authorize the action and acknowledge the item as set forth in the caption.

Mayor Durham opened the public hearing.

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Councilman Gilmore, the Council voted four (4) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

**MOTION:** Upon a motion made by Mayor Pro Tem Jones and seconded by Councilman Ferguson, the Council voted four (4) "ayes" and no (0) "nays" to approve and adopt **Resolution No. 0046-18-RES**, a Resolution of the City Council of the City of Lewisville, Texas, Providing for the Adoption of The 2018 Annual Action Plan as Required by The U.S. Department Of Housing and Urban Development (HUD) and an Amendment to the 2015 Annual Action Plan. The motion carried.

**Visitors/Citizens Forum**

**(Agenda Item D)**

Kimberly Pardi, 1714 Clarendon Drive, Lewisville, Texas and Amber Bagwell, 3001 Knox Street, Ste 200, Dallas, Texas both spoke before the City Council encouraging the City of Lewisville to support the Walk to End Alzheimer's being held September 29<sup>th</sup> by turning the City Purple. Ms. Bagwell reviewed the statistics on Alzheimer's and advised of other cities that have, or were also participating to build awareness.

No one else appeared to speak at this time.

**CONSENT AGENDA**

**(Agenda Item E)**

**MOTION:** Upon a motion made by Mayor Pro Tem Jones and seconded by Councilman Gilmore, the Council voted four (4) "ayes" and no (0) "nays" to approve and adopt all remaining items on the Consent Agenda, as recommended and as follows:

3. APPROVAL OF MINUTES: a) City Council Minutes of the July 2, 2018, Workshop Session and Regular Session; and b) City Council Minutes of the July 16, 2018, Workshop Session and Regular Session.
4. Approval of an Economic Development Agreement Between the City of Lewisville and FR Lewisville Midway, LLC; and Authorization for the City Manager to Execute the Agreement.
5. Approval of an Economic Development Agreement Between the City of Lewisville and Rockbrook Development LLC; and Authorization for the City Manager to Execute the Agreement.
6. Approval of an Economic Development Agreement Between the City of Lewisville and REDevX 1 LP; and Authorization for the City Manager to Execute the Agreement.
7. Approval of Amendment #1 to a Local Project Advance Funding Agreement (LPAFA) With the Texas Department of Transportation Related to Construction and Funding of Valley Ridge Blvd; and Authorization for the City Manager to Execute the Agreement.
8. Approval of Lighting Agreements Among the City of Lewisville, Main & Mill Business Association, and Property Owners to Allow the City to Install and Maintain LED Lights on Buildings Facing Main Street Between Charles and Mill Street; and Authorization for the City Manager to Execute the Agreements.

The motion carried.

**END OF CONSENT AGENDA**

**Consideration of Three Variances to the Code of Ordinances of the City of Lewisville, Chapter 6, Article VI (Landscape Requirements), Sections 6-123 (b) and 6-144 and Chapter 4, Article II Section 4-28 108.5(a) Regarding Landscaping and Outdoor Receptacles for KAI Office Development, Located at 802 North Stemmons Freeway; Legally Described as Lot 2R, Block A, ZUBL Addition; as Requested by Josh Barton of G&A Consultants, on Behalf of Chuck Burkhart, the Owner**

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(Agenda Item F-9)

A new construction company has located in an existing legal non-conforming building located at 802 North Stemmons Freeway. The business owner is proposing improvements to accommodate fire safety, access and outside storage. Outdoor storage will be limited to 10% of the lot per the Light Industrial (LI) zoning designation on the property. FEMA floodway, floodplain, and TxDOT acquisition for the IH-35E expansion create challenges for use of the site and three variances are requested; a.) to allow outside storage to be screened with live screening and opaque fencing, b.) to allow the outdoor receptacle to be screened with live screening, and c.) to allow a variable width landscape buffer.

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

Richard E. Luedke, Planning Director, was available to address any questions posed by the City Council.

**MOTION:** Upon a motion made by Councilman Ferguson and seconded by Deputy Mayor Pro Tem Troyer, the Council voted four (4) "ayes" and no (0) "nays" to approve the following three variances to the Code of Ordinances of the City of Lewisville, Chapter 6, Article VI (Landscape Requirements), Sections 6-123 (b) and 6-144 and Chapter 4, Article II Section 4-28 108.5(a) Regarding Landscaping and Outdoor Receptacles for KAI Office Development, located at 802 North Stemmons Freeway; legally described as Lot 2R, Block A, ZUBL Addition; as requested by Josh Barton of G&A Consultants, on behalf of Chuck Burkhart, the owner: a.) to allow outside storage to be screened with live screening and opaque fencing, b.) to allow the outdoor receptacle to be screened with live screening, and c.) to allow a variable width landscape buffer. The motion carried.

**Consideration of a Variance to the Lewisville  
City Code Section 6-91 Construction  
Standards, for the Garden Ridge Trail  
Project Located on Garden Ridge Blvd.,  
Valley Parkway and Civic Circle, as  
Requested by City Staff**

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**(Agenda Item F-10)**

In 2007, City Council approved an ordinance adopting the 2004 Edition NCTCOG Construction Specifications for Public Works Projects. All City capital public works projects are designed, bid and constructed based on these construction specifications. The Garden Ridge Trail Project was funded with a NCTCOG grant which covers 80% of the estimated cost of the trail at the time the grant was applied for with a required 20% minimum City participation. TXDOT requires the use of their specifications when there is State funding in the project. Bids for the project need to be opened no later than August 31, 2018 to meet the grant requirements. Staff is requesting a variance to allow the use of TXDOT specifications in lieu of the adopted 2004 NCTCOG specifications.

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

David Salmon P.E., City Engineer, was present to respond to any questions posed by the City Council.

**MOTION:** Upon a motion made by Mayor Pro Tem Jones and seconded by Councilman Ferguson, the Council voted four (4) "ayes" and no (0) "nays" to approve a variance to the Lewisville City Code Section 6-91 Construction Standards, for the Garden Ridge Trail Project located on Garden Ridge Blvd., Valley Parkway and Civic Circle, as requested by City Staff to allow the use of TXDOT specifications in lieu of the adopted 2004 NCTCOG specifications. The motion carried.

Councilman Ferguson advised that he would be abstaining from discussion and consideration of Agenda Item F-11 as this action involves real property within 200 feet of real property that he owned. The appropriate Conflict of Interest Affidavit had been filled out and filed with the City Secretary. Councilman Ferguson stepped away from the dais.

**Consideration of a Variance to the Lewisville City Code Section 6 123(b), Multi-Family and Non-Residential Landscaping Requirements, for the Thrive Project, Located at 1950 South Valley Parkway, as Requested by City Staff**

**(Agenda Item F-11)**

The City is beginning to construct the Thrive project located at 1950 South Valley Parkway. The variance will allow for trees to be planted in alternative locations than is required by the ordinance.

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

Tim Ippolito, Fire Marshal, was present to address any questions posed by the City Council.

**MOTION:** Upon a motion made by Councilman Gilmore and seconded by Mayor Pro Tem Jones, the Council voted three (3) "ayes" and no (0) "nays" to approve a variance to the Lewisville City Code Section 6 123(b), Multi-Family and Non-Residential Landscaping Requirements, for the Thrive Project, Located at 1950 South Valley Parkway to allow for trees to be planted in alternative locations than is required by the ordinance, as requested by City staff. The motion carried.

(Councilman Ferguson returned to the dais.)

**Consideration of Resolution No. 0047-18-RES Establishing a Public Hearing Date for September 17, 2018 to Consider Amendments to the Land Use Assumptions, Water & Wastewater Capital Improvements Plan, and Associated Capital Recovery (Impact) Fees; and Authorizing the Issuance of Notice and Publication of Said Public Hearing by the City Secretary**

**(Agenda Item F-12)**

Texas Local Government Code Chapter 395 requires a political subdivision that imposes an impact fee to review and evaluate the fees every five years and to conduct a public hearing prior to approval of the Impact Fee Review and assessment of revised fees. This resolution calls the public hearing for September 17, 2018 and authorizes the publication of the notice of public hearing.

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



**Consideration of Resolution No. 0047-18-RES Establishing a Public Hearing Date for September 17, 2018 to Consider Amendments to the Land Use Assumptions, Water & Wastewater Capital Improvements Plan, and Associated Capital Recovery (Impact) Fees; and Authorizing the Issuance of Notice and Publication of Said Public Hearing by the City Secretary (cont'd)**

(Agenda Item F-12)

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Councilman Gilmore, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Resolution No. 0047-18-RES**, a Resolution of the City Council of the City of Lewisville, Texas, Establishing a Public Hearing Date for September 17, 2018, to Consider Amendments to the Land Use Assumptions, Water and Wastewater Capital Improvements Plan, and Associated Capital Recovery (Impact) Fees; and Authorizing the Issuance of Notice and Publication of Said Public Hearing by the City Secretary. The motion carried.

**Consideration of Acceptance of Resignation of Dr. Marie S. Burke From Place No. 7 on the Animal Services Advisory Committee; Declare Vacancy Exists on the Animal Services Advisory Committee; and Consideration of an Appointment to Place No. 7 on the Animal Services Advisory Committee**

(Agenda Item F-13)

Dr. Marie Burke has submitted her resignation from Place No. 7 (Veterinarian Representative) on the Animal Services Advisory Committee. Staff has received an application for this position from Dr. Walter Legg. His data sheet has been included for City Council review. The City Council will need to declare a vacancy and consider a new appointment to fill this vacancy.

The City staff’s recommendation was that the City Council accept the resignation, declare a vacancy, and consider an appointment as set forth in the caption above.

**MOTION:** Upon a motion made by Mayor Pro Tem Jones and seconded by Deputy Mayor Pro Tem Troyer, the Council voted four (4) “ayes” and no (0) “nays” to accept the resignation, declare a vacancy, and appoint Dr. Walter Legg to Place No. 7 on the Animal Services Advisory Committee. The motion carried.

**Consideration of Resolution No. 0048-18-  
RES Appointing One Member to the Board  
of Managers of the Denco Area 9-1-1 District**

(Agenda Item F-14)

At the April 16, 2018, City Council selected Jim Carter, former Mayor of Trophy Club, as the City of Lewisville's nomination for the Board of Managers of the Denco Area 9-1-1 District. All the nominations have now been submitted from the area cities and the District has requested that each participating city vote for one of the candidates and advise the District of its selection prior to 5 p.m. on September 15, 2018. The bios/resumes of each nominee have been attached for the City Council's review.

The City staff's recommendation was that the City Council approve a resolution appointing one member to the Board of Managers of the Denco Area 9-1-1 District.

Jim Carter, 1005 Roadrunner Road, Bartonville, Texas, spoke before the City Council to respectfully request their votes for his reappointment to this position.

Mayor Sue Tejml, 835 Orchid Hill, Argyle-Copper Canyon, Texas and the Denco 911 Board, spoke before the City Council in support of Jim Carter being reappointed to this position.

**MOTION:** Upon a motion made by Councilman Ferguson and seconded by Mayor Pro Tem Jones, the Council voted four (4) "ayes" and no (0) "nays" to approve and adopt **Resolution No. 0048-18-RES**, a Resolution of the City Council of the City of Lewisville, Texas, Appointing Jim Carter to the Board of Managers of the Denco Area 9-1-1 District. The motion carried.

**Reports**

(Agenda Item G)

- Second Quarter 2018 Boards/Commissions/Committees Attendance Reports
- Assistant Police Chief Kevin Deaver advised of the Police Department's upcoming Open House.
- Director of Public Services Keith Marvin gave an update on the status of the lake level.
- Director of Strategic Services Gina Thompson reminded everyone that the Budget Workshop would be held in the Community Room at the Municipal Annex on August 11<sup>th</sup> starting at 9 a.m.
- Assistant City Manager Swann advised that on August 18<sup>th</sup> the Clear the Shelter Event would be held at the Gene Carey Animal Center.
- Councilman Ferguson gave an update of upcoming events at the MCL Grand.
- Mayor Durham thanked the Police Officers present for their service to the community.

There were no additional reports at this time.

Mayor Durham advised that the City Council would be returning to the City Council Conference Room to continue the Workshop Session discussion of the Workshop Item B - Discussion of Traffic Signal Network.

With the City Council all present in the City Council Conference Room, the continuation of the Workshop Session began.

**Discussion of Traffic Signal Network**

**(Agenda Item B)**

At the request of City Manager Barron, Director of ITS Chris Lee along with Darin Bjork, P.E. with Kimley-Horn presented the attached PowerPoint Presentation.

Discussion was held regarding the long-term viability for what had been presented based on technology standpoint. Mr. Bjork advised that the radio equipment had a 10-year shelf life in terms of technology and support; however, in terms of what the bandwidth the system is being designed for, they had purposely allocated enough bandwidth at the traffic cabinet to where, as controllers need to be replaced, or as detection systems became obsolete, that the equipment could be replaced without having to replace the radio length that has been placed there. He further stated that if there was a controller failure, that would be a lower cost item than to replace the whole entire communications network.

City Manager Barron advised this was just a report and additional update would be brought back to City Council.

**Discussion of Possible Donation of Property  
Along Timber Creek, South of Lakeway  
Drive and North of Sam Rayburn Tollway**

**(Agenda Item C)**

At the request of City Manager Barron, Assistant City Manager Swann with the assistance of City Engineer David Salmon conducted the attached PowerPoint Presentation regarding the possible donation of property along Timber Creek, South of Lakeway Drive and north of Sam Rayburn Tollway.

The consensus of the City Council was for City staff to proceed forward as presented.

Mayor Durham adjourned the regular session of the Lewisville City Council into Closed Session at 8:25 p.m. Monday, August 6, 2018, in accordance with the requirements of the Open Meetings Law.

**Closed Session**

**(Agenda Item H)**

In accordance with Texas Government Code, Subchapter D, Section 551.072 (Real Estate), the Lewisville City Council convened into Closed Session at 8:25 p.m. on Monday, August 6, 2018, City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas, in order to discuss matters pertaining to the following:

1. Property Acquisition

Section 551.087 (Economic Development):

2. Deliberation Regarding Economic Development Negotiations.

The Closed Session was adjourned at 8:57 p.m. on Monday, August 6, 2018.

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

**(Agenda Item I)**

Mayor Durham reconvened the Regular Session of the Lewisville City Council at 8:57 p.m. on Monday, August 6, 2018, in the Council Chambers of the Lewisville City Hall.

Mayor Durham opened the floor for action to be taken on the items discussed in the Closed Session. There was no action taken on the items discussed during the Closed Session.

**Adjournment**

**(Agenda Item J)**

**MOTION:** Upon a motion made by Councilman Ferguson and seconded by Mayor Pro Tem Jones, the Council voted four (4) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lewisville City Council at 8:59 p.m. on Monday, August 6, 2018. The motion carried.

These minutes approved by the Lewisville City Council on the 10<sup>th</sup> day of September 2018.

APPROVED

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Rudy Durham  
MAYOR

ATTEST:

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Julie Worster  
CITY SECRETARY



# ATMOS ENERGY 12-INCH DISTRIBUTION GAS MAIN

FM 407, SUMMIT AVENUE, COLLEGE STREET & GARDEN RIDGE BLVD.



## PROJECT SCOPE

- Atmos Energy has proposed to install a new 12-inch Steel Distribution Main beginning on FM 407 Near Summit Avenue and extending south on Summit Avenue to College Street, West on College Street to Garden Ridge Blvd and south on Garden Ridge to the Lewisville City Limits near Garden Ridge and Corporate Drive. The new Gas Main will continue south along Garden Ridge Blvd into the Town of Flower Mound. Atmos is discussing this proposed project with the Town of Flower Mound as well.

# PROJECT ROUTE





## LAYOUT AND ROUTE CHOICE

- Atmos Energy selected the proposed route for several reasons.
  - 1) Efficient/short route between set end points
  - 2) Minimize exposure of the steel gas main to the high voltage transmission lines on Garden Ridge reducing the possibility of a cathodic interaction on the steel pipe material.
  - 3) Minimize conflict with City utilities.
- There is significant utility congestion on Garden Ridge from College Street to south of Main Street. Atmos Energy is still conducting utility research to determine the best placement within the ROW.

## PROJECT DETAILS

- This is a new, additional gas main specifically purposed to increase capacity to meet increasing demand and will benefit Lewisville customers.
- Installation is entirely within City street right of way, mostly by bore. Some limited areas will require open cut.
- Atmos Energy intends to begin construction in spring , 2019 and anticipates a 6-month construction time.
- Installation will be accomplished from the street. Temporary lane closures will be required.
- Installation will be a minimum of three feet deep.

## PROJECT DETAILS

- City Staff will have an opportunity to review final plans and will issue a Right of Way permit. The City's Franchise Utility Inspector will monitor the construction.
- Atmos Energy will replace sidewalk and street pavement that is disturbed during construction and will replace damaged sidewalk and ramps with ADA compliant paving and ramps.
- Mail boxes may be removed and replaced. Temporary boxes will be set up if necessary.
- There are few trees within the right of way along the project route. Minimal tree disturbance is expected. Atmos Energy will comply with the City's tree protection ordinance.
- Identification markers and cathodic protection testing stations will be installed along the gas main route. These are spaced at roughly 500-foot intervals and at street crossings. Atmos energy will work with City Staff to design and place these to minimize intrusiveness.



## FM 407 & SUMMIT

Installation proposed within the right of way along the south side of FM 407 and along the west side of summit Avenue.





## SUMMIT AVENUE

Installation proposed within the ROW along the west side of Summit

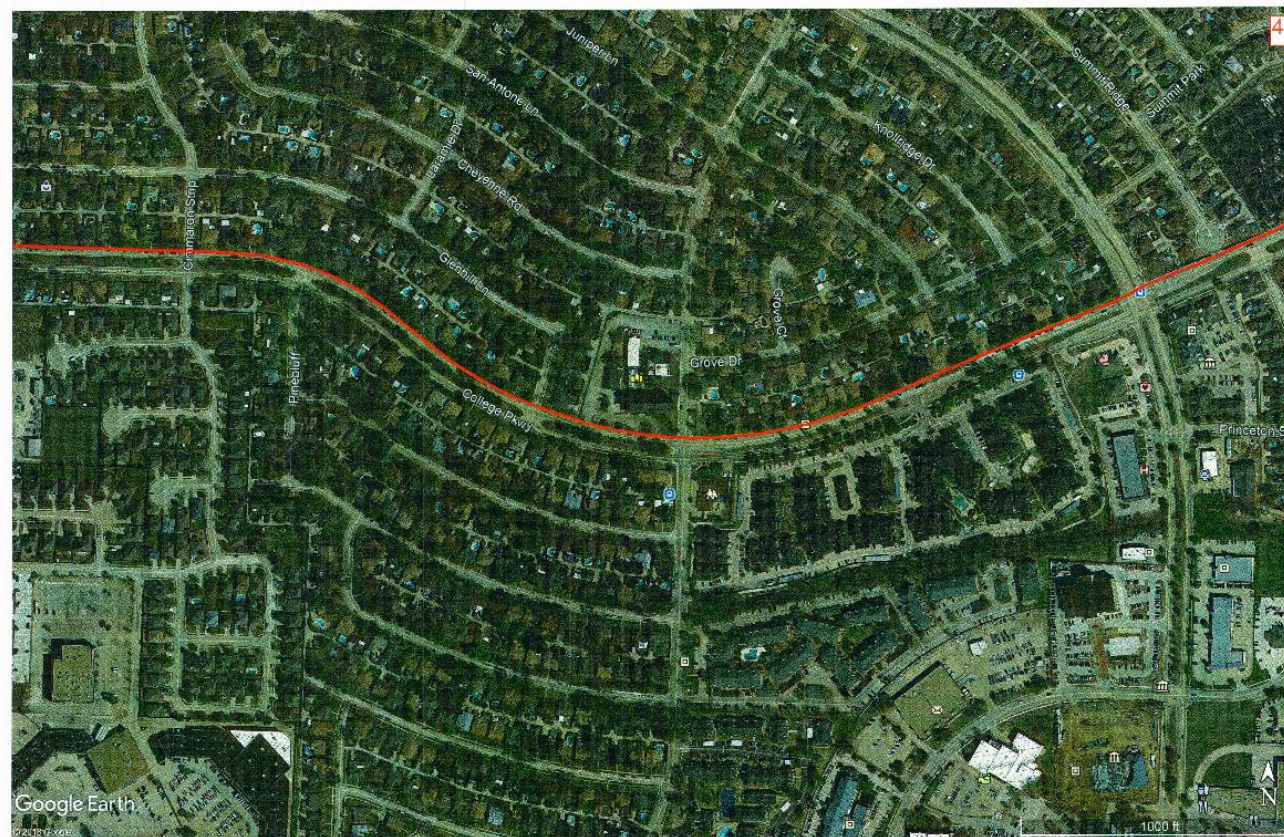




## SUMMIT AVENUE & COLLEGE STREET

Installation is proposed along the west side of Summit Avenue and along the north side of College Street.





## COLLEGE STREET

Installation is proposed along the north side of College Street.





## COLLEGE STREET AND GARDEN RIDGE BLVD.

Installation will occur along the north side of College Street and for a short distance along the east side of Garden Ridge before crossing into the Garden Ridge median





# GARDEN RIDGE BLVD

Installation will occur along the Garden Ridge median

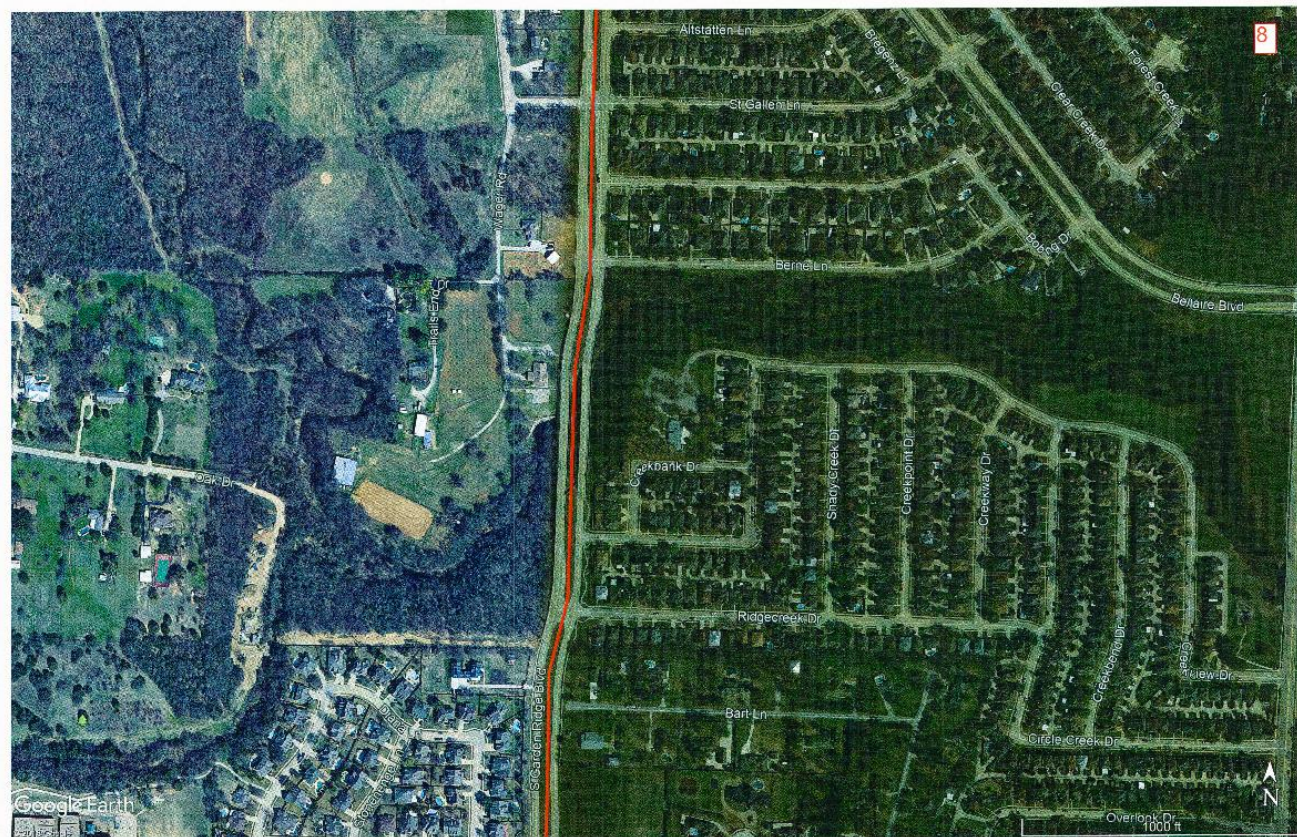




GARDEN RIDGE BLVD.

Installation will occur along the Garden Ridge median





## GARDEN RIDGE BLVD

Installation will occur along the Garden Ridge median





GARDEN RIDGE BLVD.

Installation will occur along the Garden Ridge median

# CARROLLTON PROJECT

- Atmos Energy is finishing a similar project in Carrollton which has caused some resident disruption
- There are two main differences between the Carrollton Project and the proposed Lewisville Project. The Carrollton project replaced an existing 1950's era gas main in an easement across private properties, including single family residential opposed to installation in street right of way. Most building construction in the area occurred after the original main was installed, so most current property owners were unaware of the original gas main. The Carrollton project was installed by a combination of open cut and boring.
- Major issues in Carrollton involved removal of mature trees and other private improvements (garden sheds, play sets, paving, etc.) that had been installed within the existing easement over a period of 60+ years.
- Atmos Energy Representatives are available this evening to place perspective on these issues.

## SUMMARY

- This installation will be significantly different than what occurred in Carrollton. The Lewisville line will be installed inside existing street right of way and will be almost entirely bored. The Carrollton line was placed in an existing easement cutting through private property and was installed largely by open cut.
- Affected residents will be notified by personal contact with an Atmos Energy ROW agent. They will be provided a letter explaining the project as well as logistical information. During the project the contractors will use door tags and letters to advise residents of activity on their street. There will also be signs along the project route to identify the work as an Atmos Energy Project and will provide contact information.
- City staff will be reviewing plans and providing right of way inspection during construction.
- Staff does not have any unusual or significant concerns given the proposed route, locations and installation method.



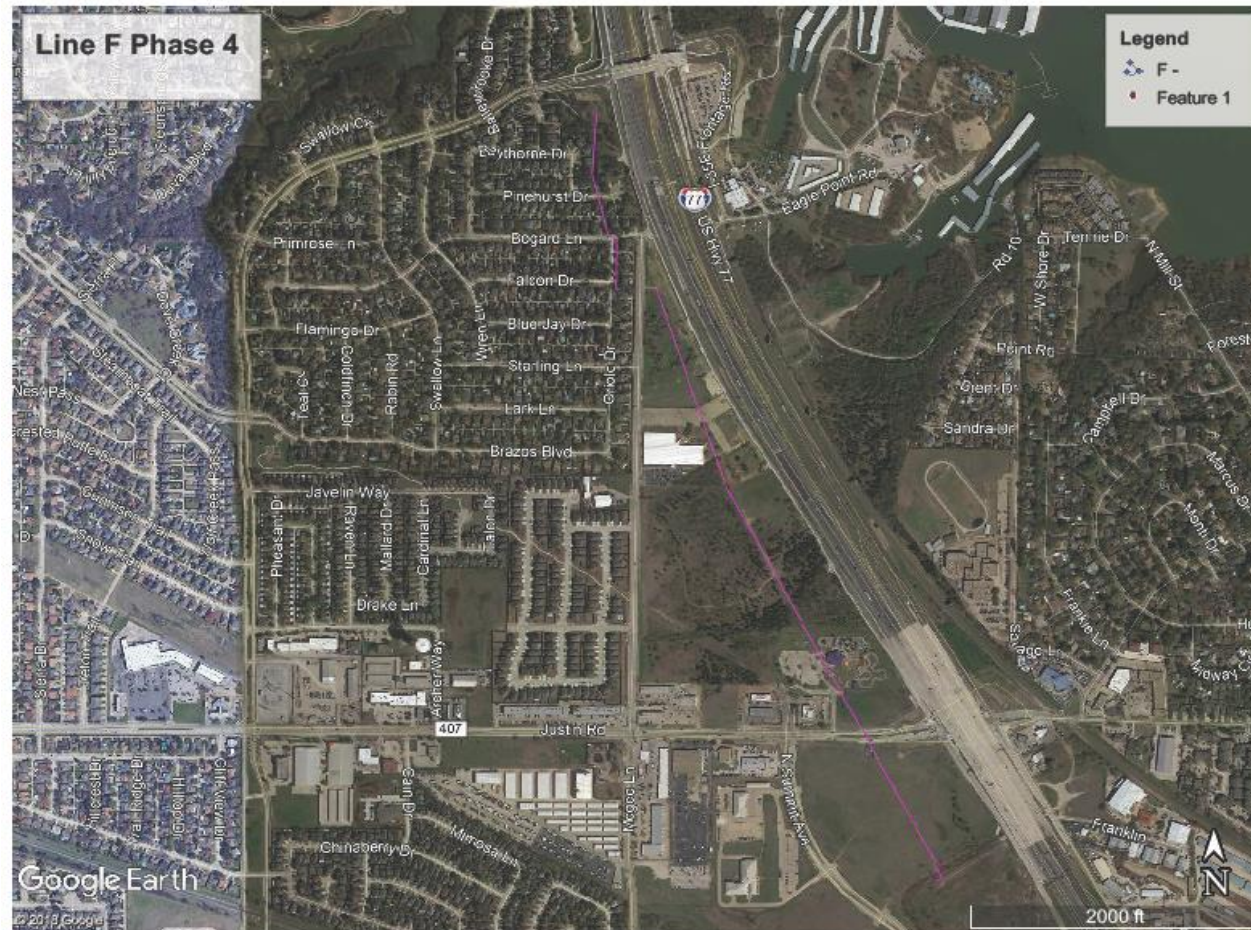
# REGARDING A DIFFERENT PROPOSED GAS MAIN

ATMOS ENERGY 12-INCH TRANSMISSION LINE REPLACEMENT





# ATMOS ENERGY TRANSMISSION LINE REPLACEMENT





# ATMOS ENERGY TRANSMISSION LINE REPLACEMENT

- Staff Met with Atmos Energy on Tuesday July 31 finding out about and discussing the proposed project.
- Replacement within existing easement, similar to Carrollton project.
- Installation by a combination of bore and open cut. To be determined after survey and during design.
- Proposed gas main replacement will directly affect some residential lots on Oriole, a lot on Bogard, a lot on Pinehurst and several lots on Balleyduff Drive
- Based on aerial photos, there appears to be several mature trees and at least one accessory building potentially impacted.
- Specific impacts will not be identified until survey is complete. Atmos Energy will meet with City staff once survey is complete.

# ATMOS ENERGY TRANSMISSION LINE REPLACEMENT



**Stewart Hill**

Right of Way Representative

Dear Landowner:

Re: Atmos Pipeline – Texas, High-Pressure Pipeline Replacement

It is easy to see that the Dallas-Fort Worth Metro area continues to enjoy expanding economic growth. As with all infrastructure, increased use and demand requires us to update our pipeline infrastructure to assure that we can continue to safely support the growth in the DFW area.

Pipeline transportation is one of the safest and most cost-effective ways to transport natural gas. To remain safe and reliable, Atmos Energy must take action to maintain safety while also upgrading its facilities to meet increasing energy demands. The Pipeline and Hazardous Materials Safety Administration (PHMSA) of the US Department of Transportation (DOT) has requested the accelerated repair, rehabilitation, and replacement of pipeline infrastructure. Even before this request, Atmos Energy had established comprehensive plans for the replacement of key pipelines to ensure continued safe and reliable service to those we are privileged to serve. To these ends, we are preparing to replace an existing large diameter pipeline through your property in the future. While this actual replacement work will most likely not begin until 2019, the design and engineering phases are now underway.

Within the next few weeks, our survey crews will be examining the route and its impact to your property and other underground utilities in the work area. Once the survey is complete, we will be prepared to meet with you to discuss the impacts to your property as well as specific construction details. It is possible that our survey crew from HALFF TRITEX may need to enter upon your property to complete our work. Please welcome these surveyor crews, when they contact you for access. If this is rental property, please ensure your tenant is made aware of this pending activity.

In the meantime, if you have any questions, please contact me at the number or address below. We want to ensure that these facility improvements are effectively managed to enhance safety for those living or working near them and to minimize disruption that often accompanies such projects.

Yours very truly,

*Stewart Hill*

Stewart Hill

Kimley»Horn



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City of Lewisville

# **Communication**

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## Master Plan

Kimley»Horn



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City of Lewisville

# Communication

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## Master Plan

# Traffic Network History

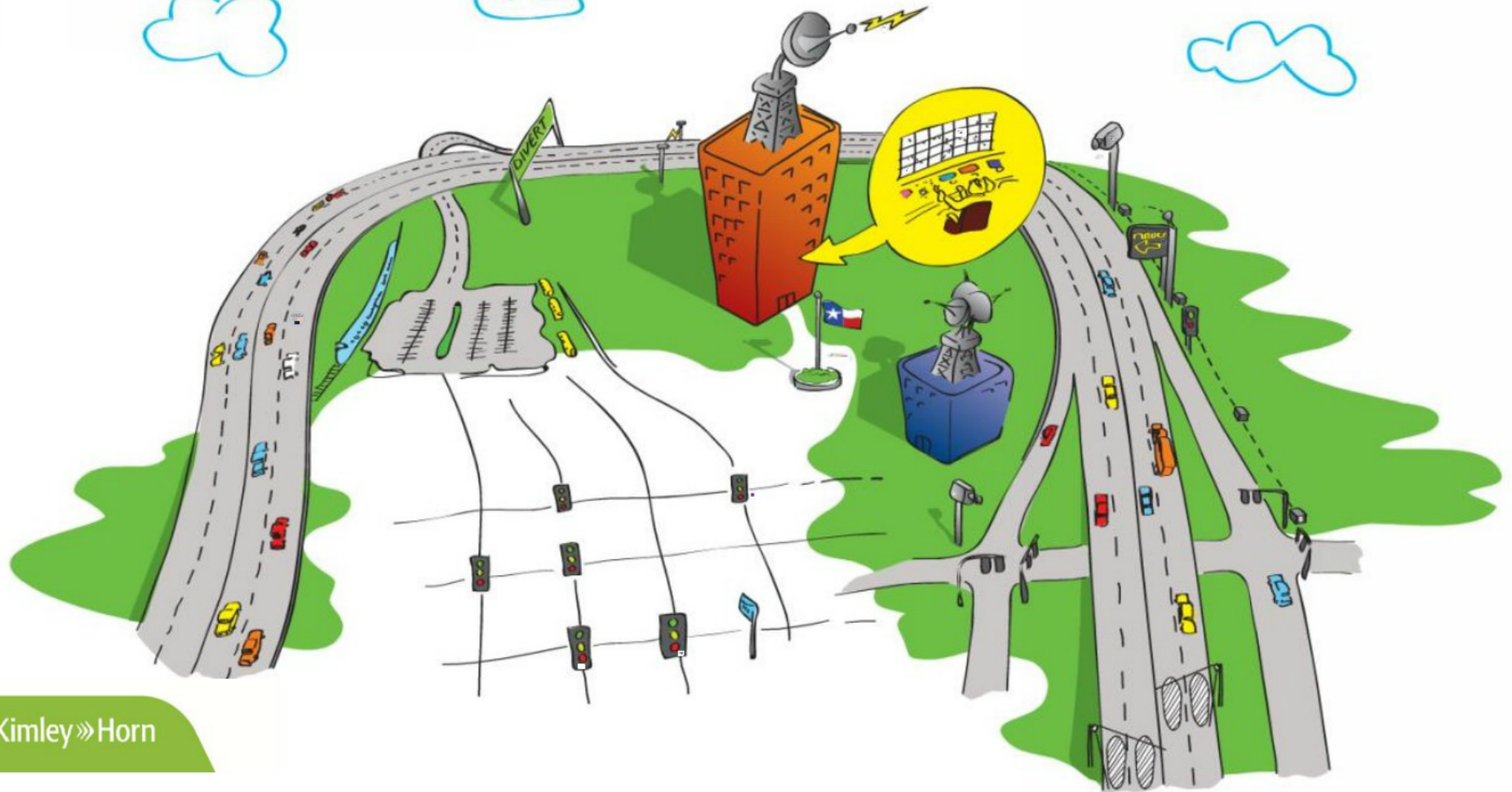
- Energy Efficiency & Conservation Block Grant 2010
- Network went into production in 2012
- Wireless technology end of support 2016
- Limited Bandwidth and application use case



# Communication Master Plan



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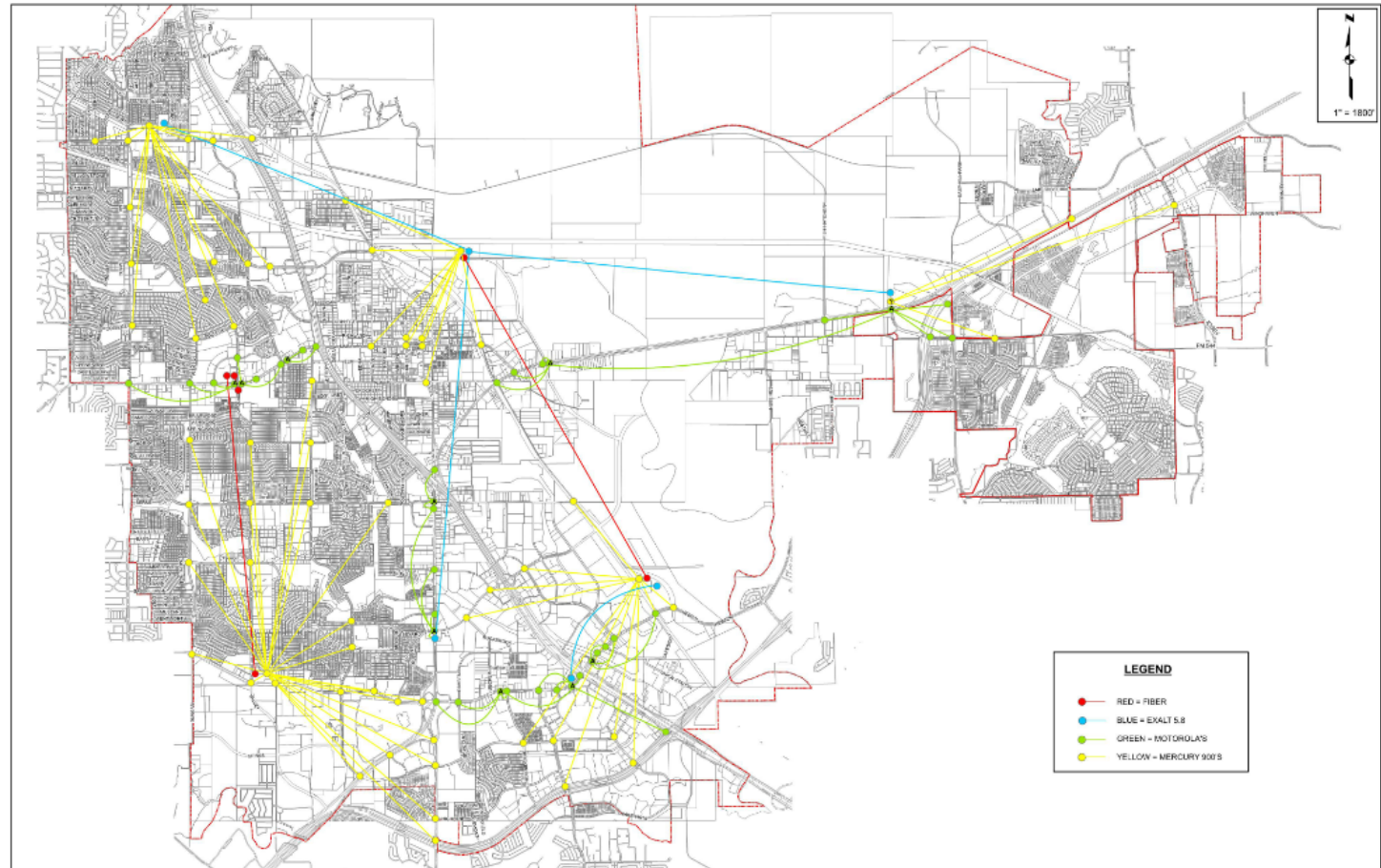
# Existing Conditions



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- Approx. 105 Intersections
- Unlicensed
- 15 year old technology



# Project Process

## PHASE I

- Document existing communications infrastructure.
- Evaluate existing system.
- **Concept of Operations.**
- Communication infrastructure sharing options.
- Identify potential technologies.
- Council workshop.
- **Develop Communication Master Plan.**
- Traffic Management Center Plan.

## PHASE II

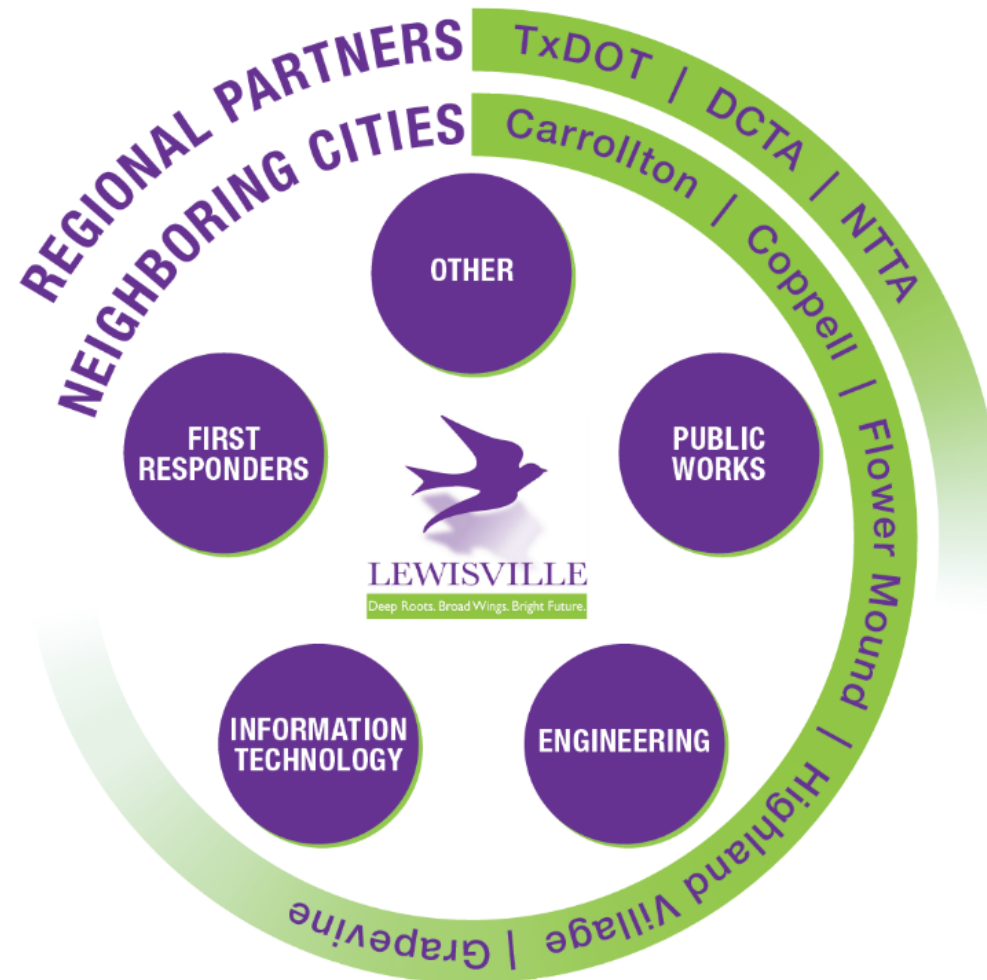
- System component PS&E Preparation.
- Construction phase services.



# Stakeholders



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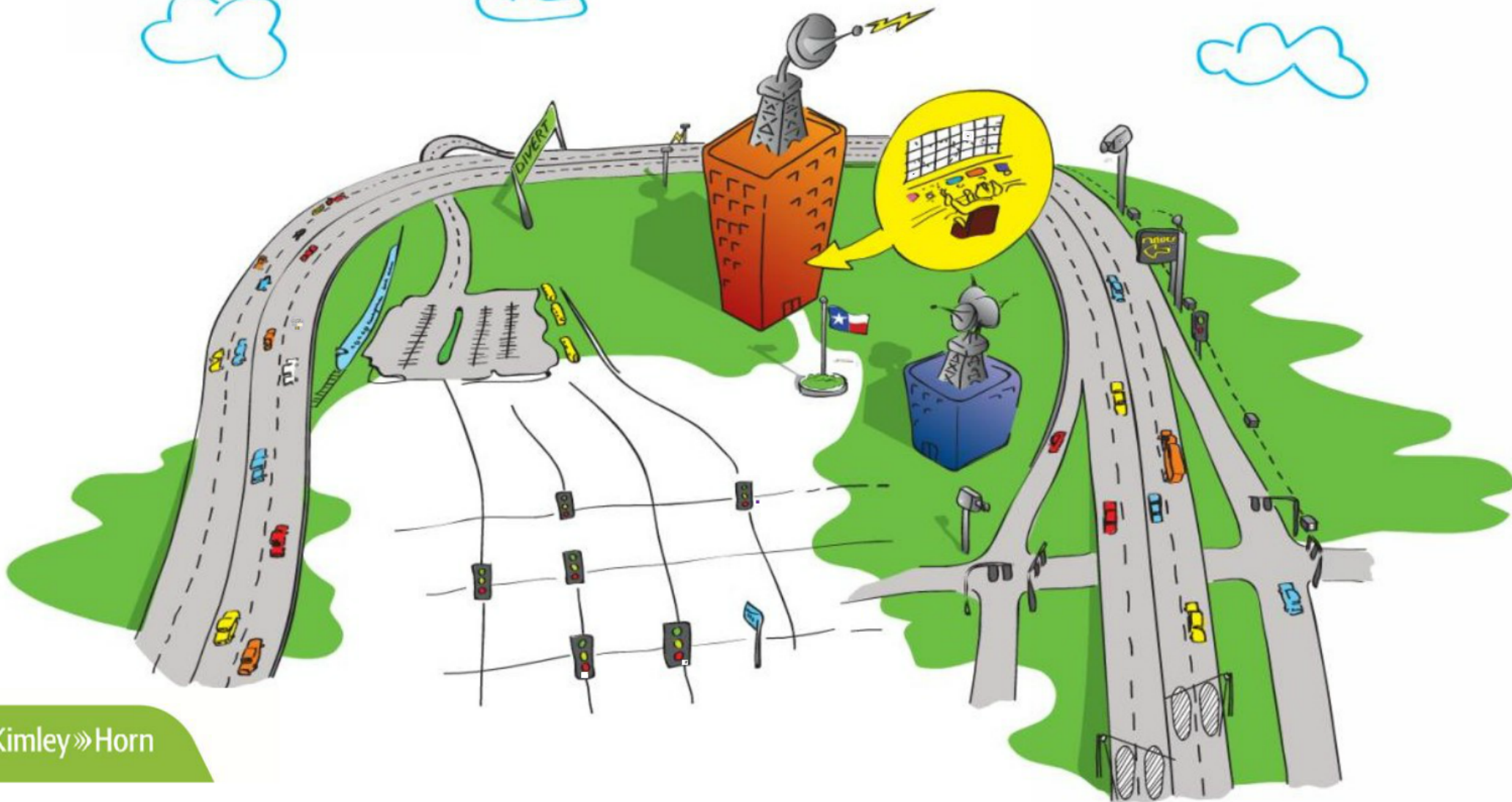


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# GOALS

# Communication Master Plan



# Improve Safety and Mobility

The communication system should facilitate the management of traffic during congested periods, construction activity, construction and maintenance activities, weather events, and incidents such as crashes, and emergencies. The system should reduce the number and severity of crashes, improve travel time, and reduce delays to the motoring public.

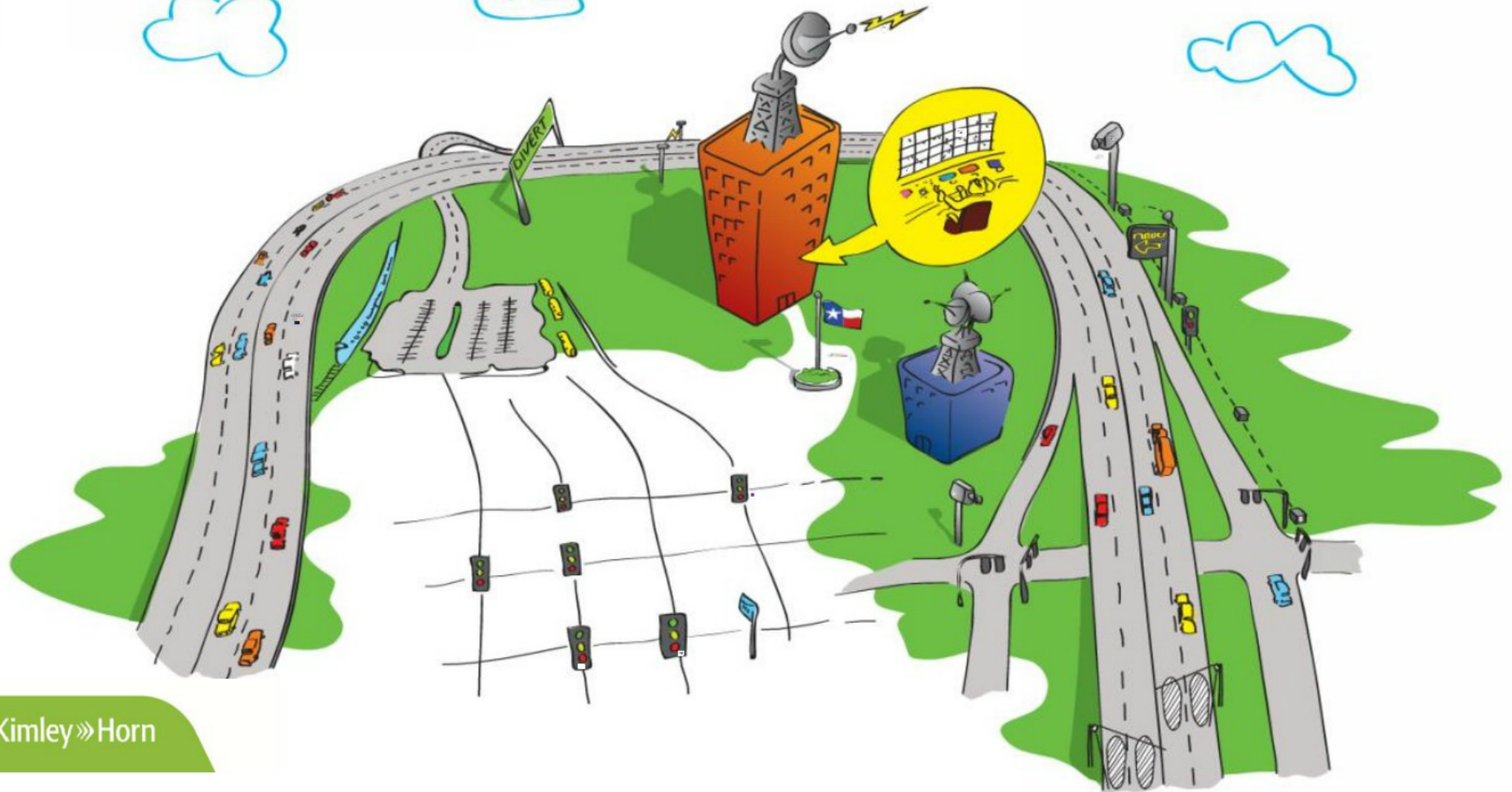




# Communication Master Plan



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## **Increase Agency Efficiency**

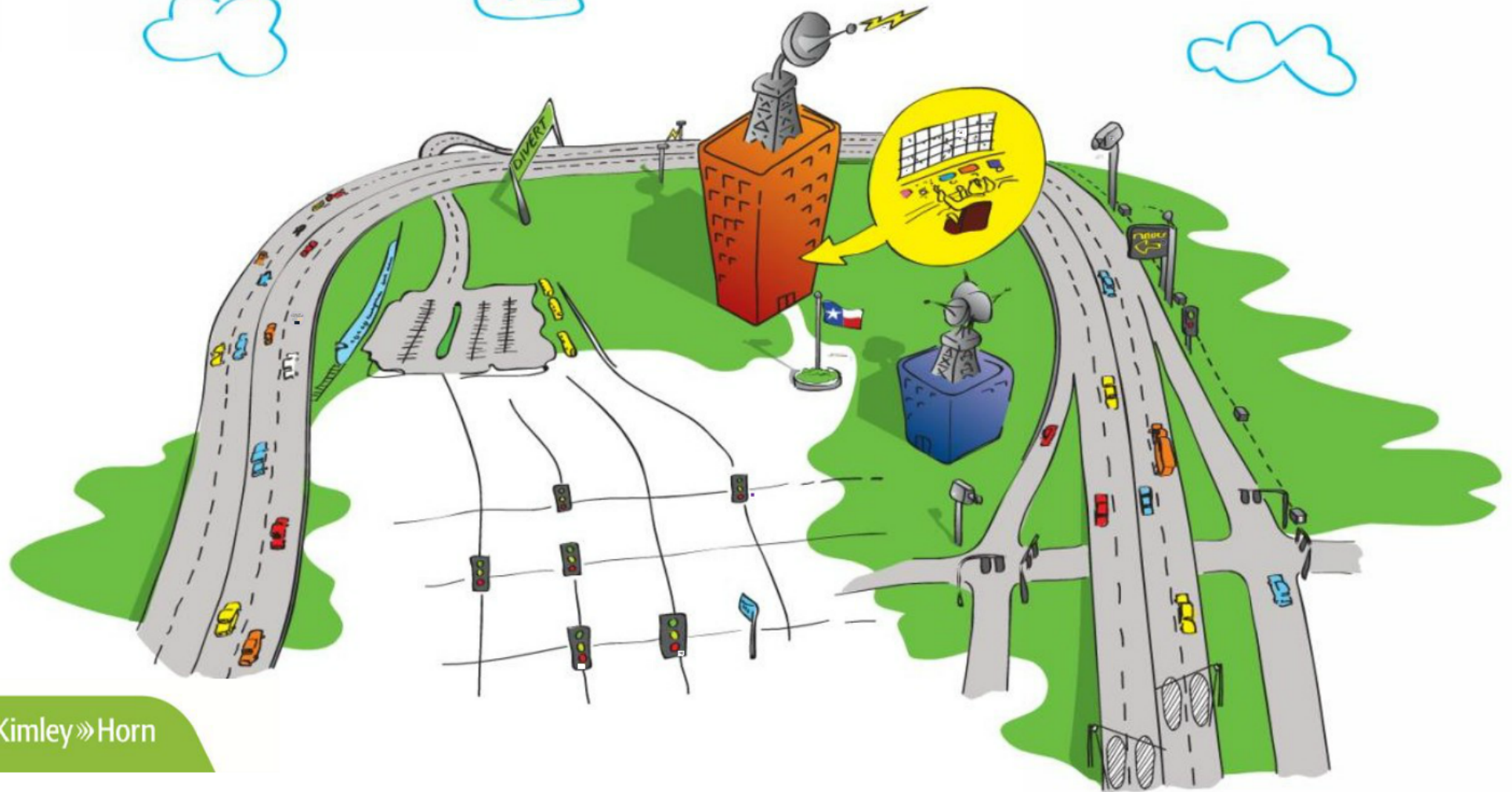
The communication system should assist staff in the overall monitoring of the network for failures, and provide tools to reduce staff time for response to system failures, troubleshooting, general maintenance activities, and an overall reduction in system failures.



# Communication Master Plan



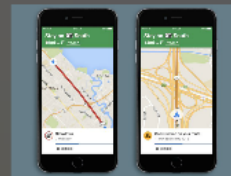
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# Traveler Information

The communication system should facilitate the sharing of information about the performance and conditions of the transportation system in real-time with other agencies and the public.

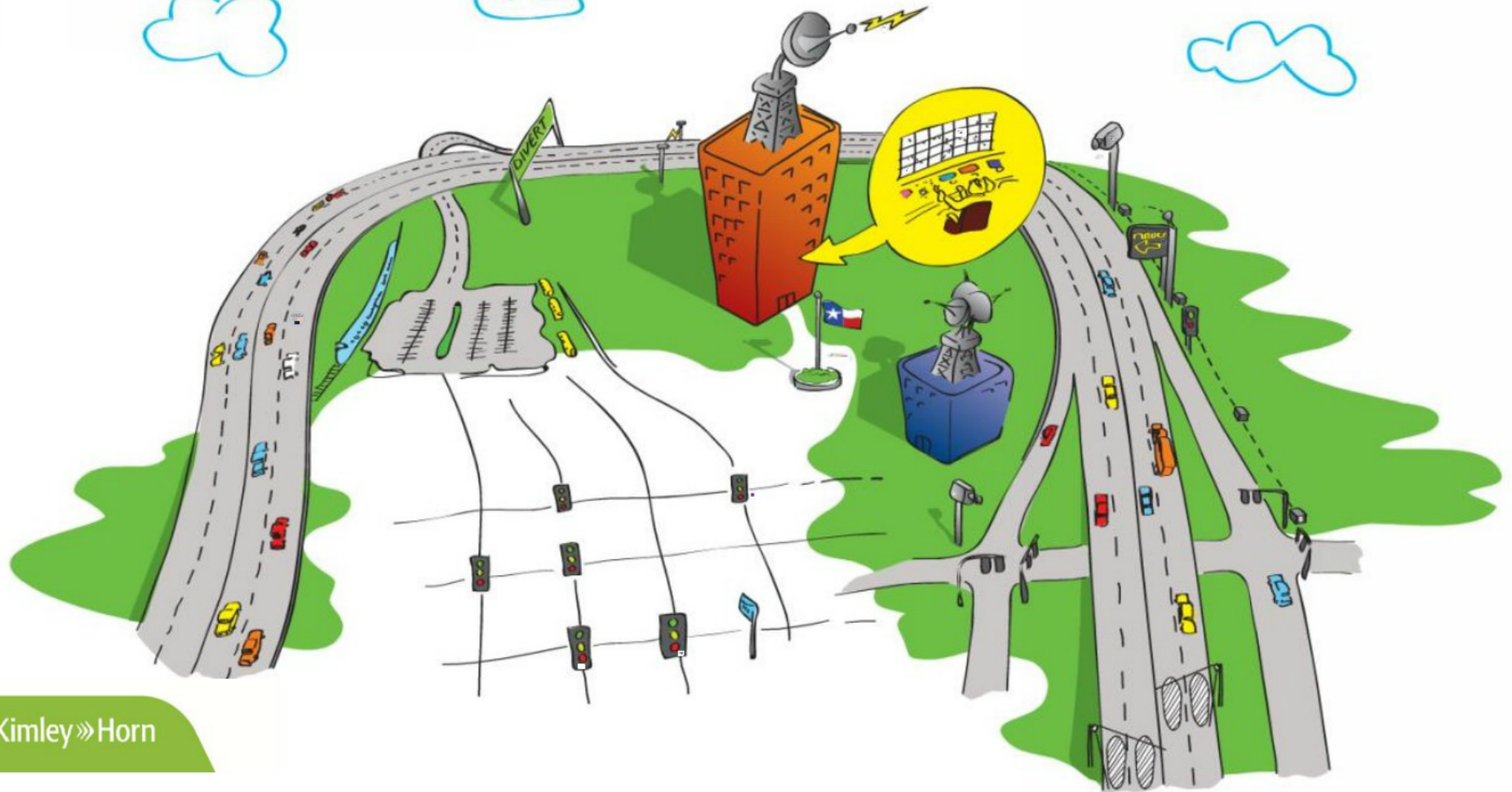




# Communication Master Plan



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# Communications Architecture

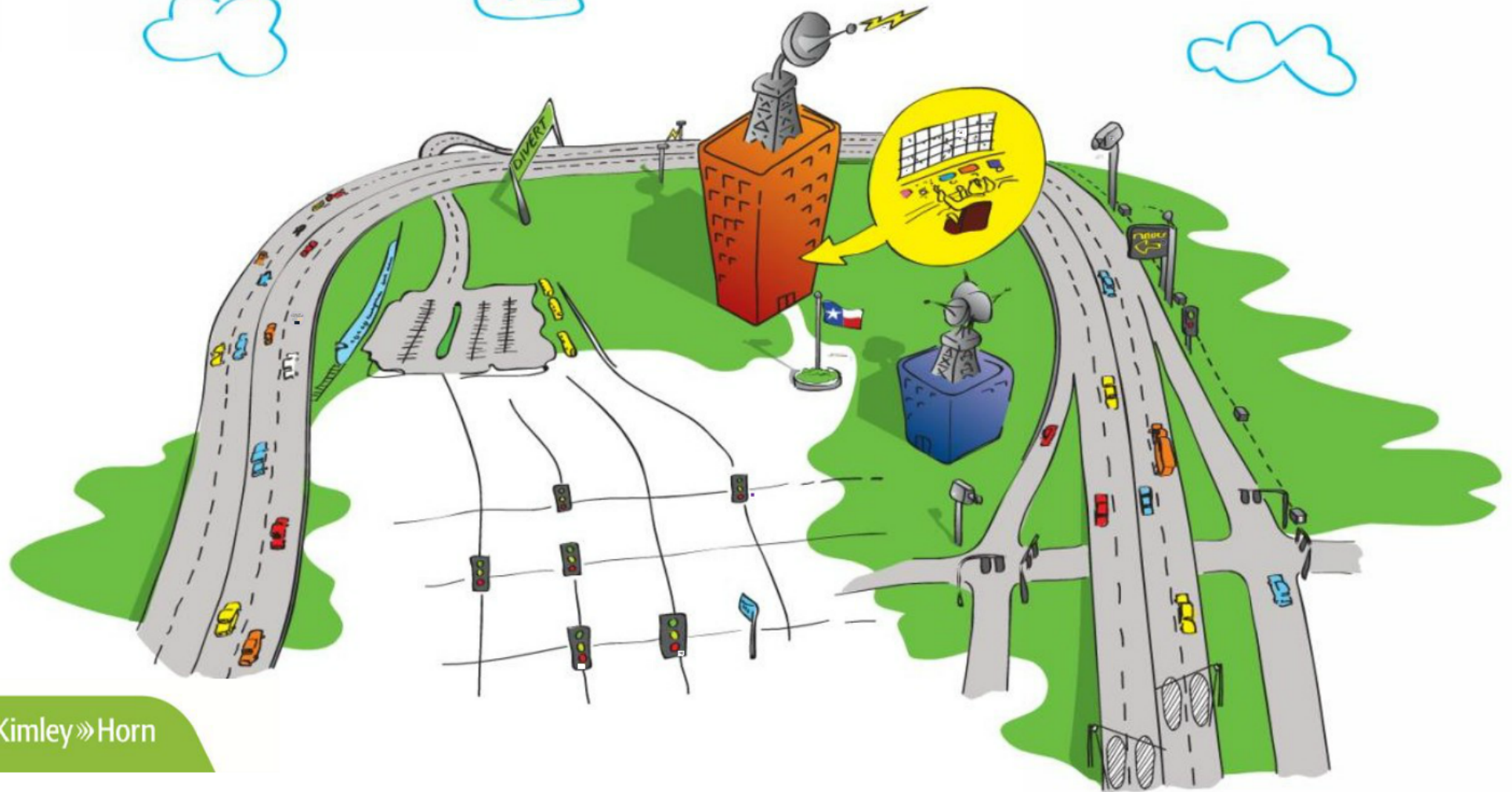
The communication system shall be designed to support near term and long-term bandwidth requirements for the ATMS, TMC, EOC, and other City Department uses.



# Communication Master Plan

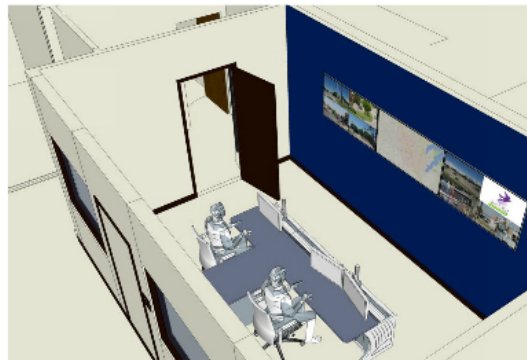


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# Traffic Management Center

Establish a plan for upgrading the TMC within the City's Traffic Department. Evaluate the potential upgrade of the ATMS software and implementation of a Video Management System.



Potential Near Term



Potential Long Term



# Incident/Event Management

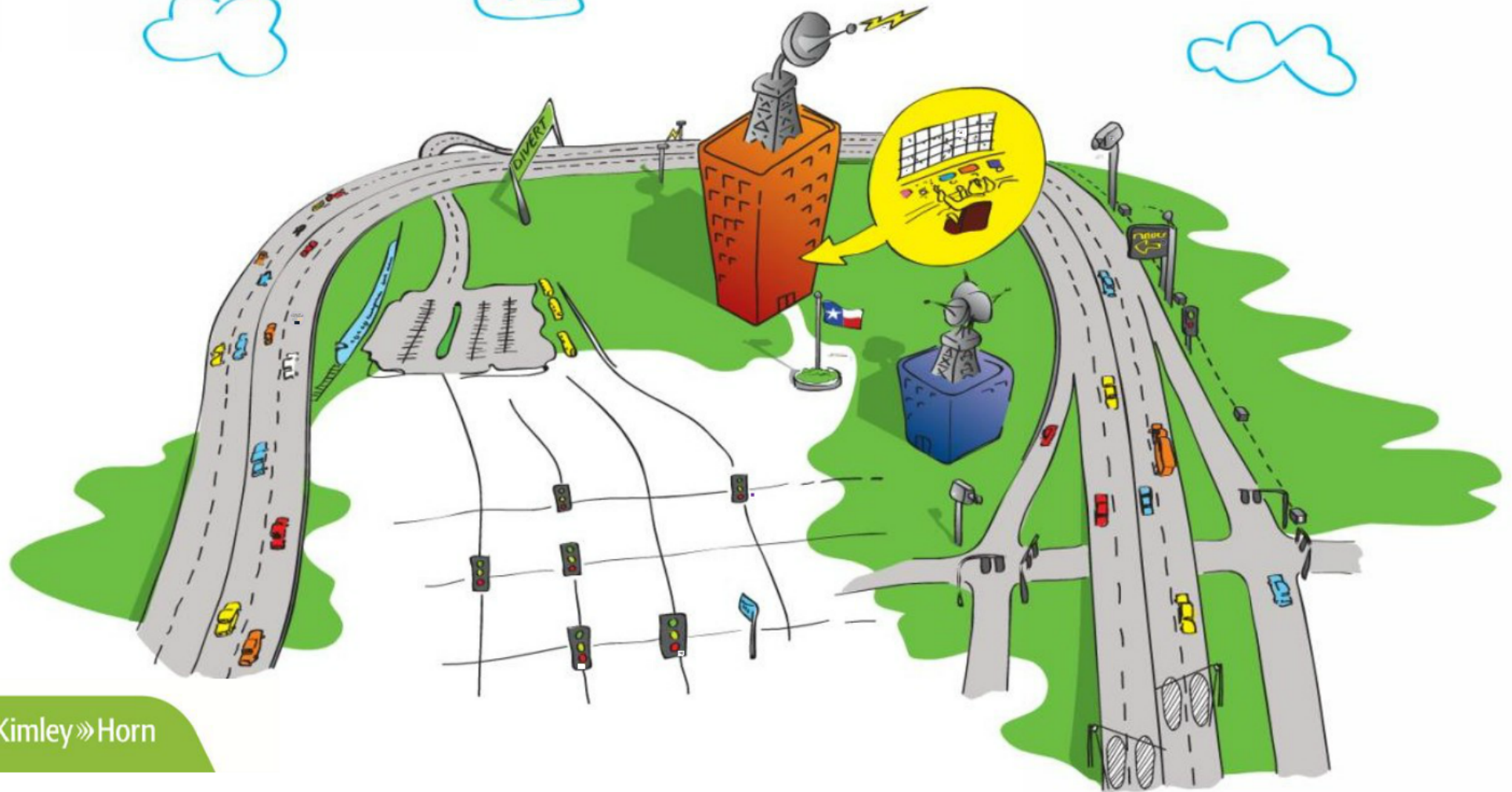
The communication system should assist staff in proactively managing non-recurring incidents and scheduled events that impact traffic.



# Communication Master Plan

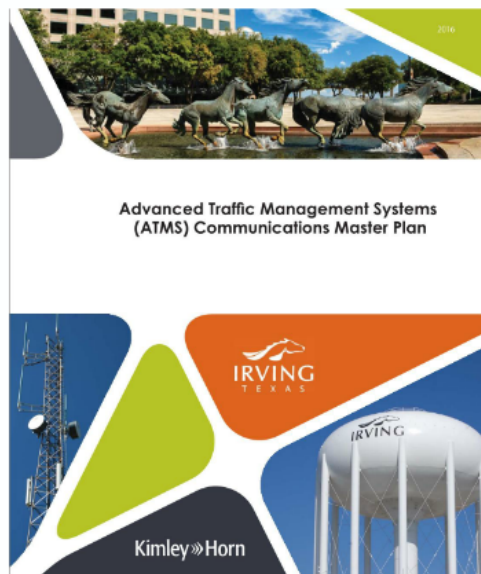


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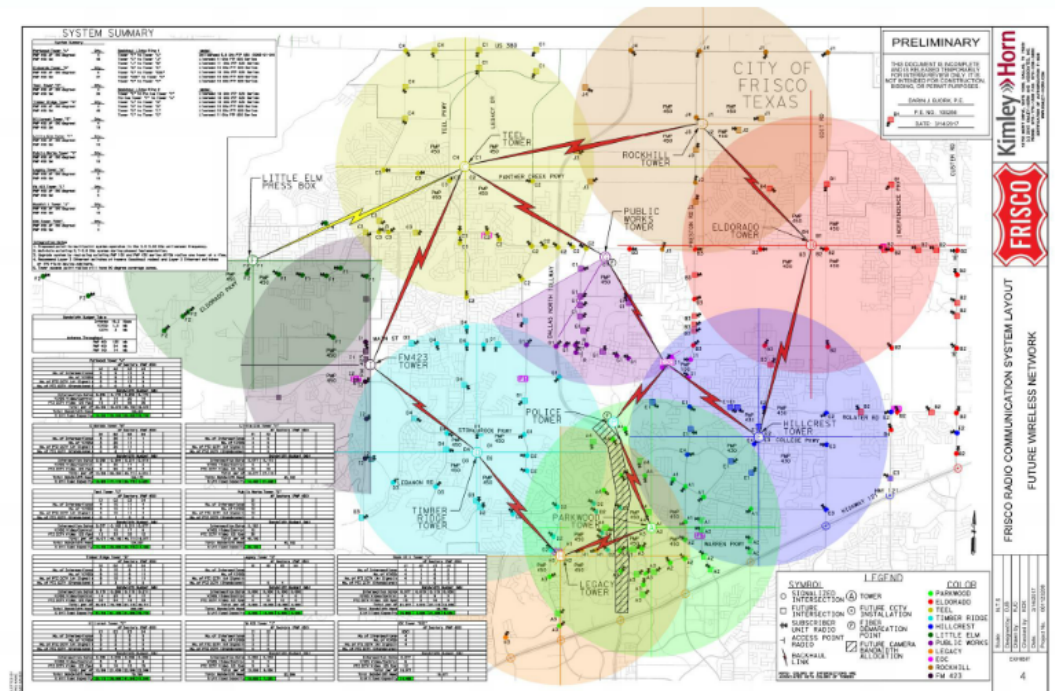


Kimley»Horn

# Communication Master Plan Examples



Irving, TX.



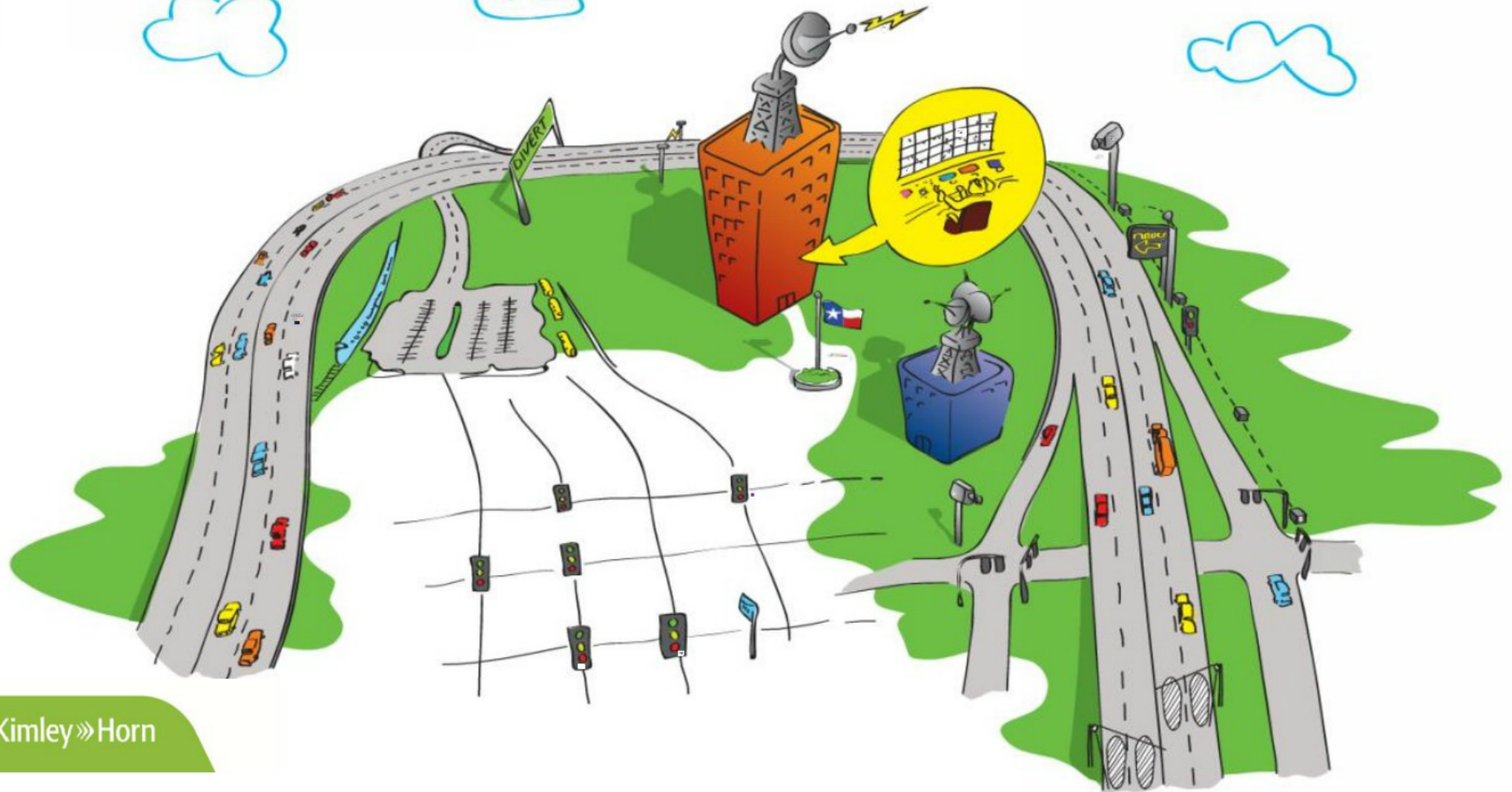
Frisco, TX.



# Communication Master Plan



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# Project Schedule

- **Phase 1 FY 17/18:** Development of a Communication Master Plan and Development of a Traffic Center Master Plan. Current year funding \$250,000.
- **Phase 2 FY 18/19:** Replace existing wireless network backhaul for the entire traffic network. The requested funding for this phase will be \$468,000.
- **Phase 3 FY 19/20:** Replace all existing intersection networking equipment. Implement a Video Management System (VMS) and create a video wall in the Traffic Management Center. The requested funding for this phase will be \$686,000.

**Total Project Estimated Cost: \$1,404,000**

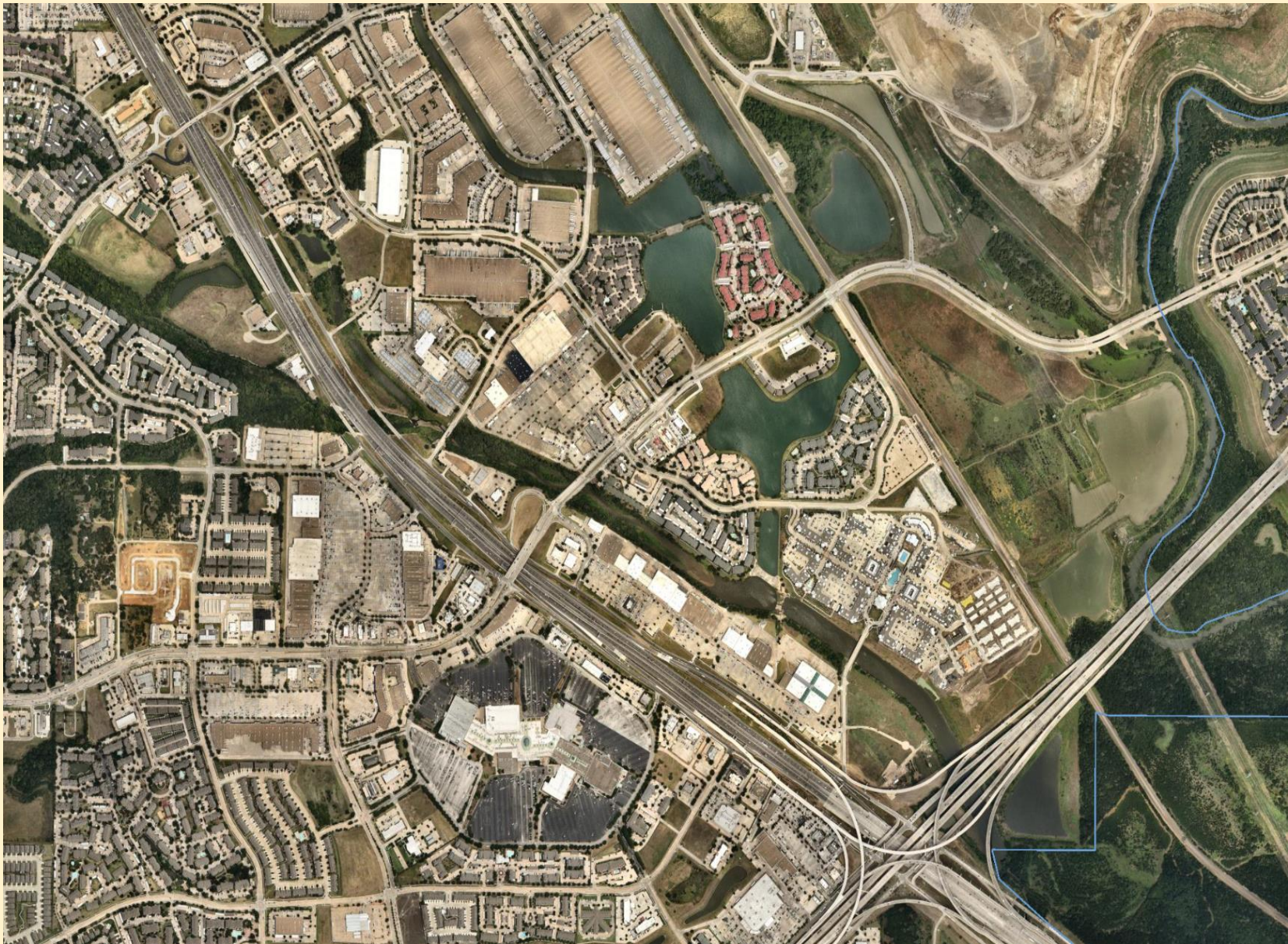




# Future Ownership of Timber Creek Property

August 6, 2018  
City Council Workshop





Aerial of Timber Creek







Hebron 121 Original Concepts for Timber  
Creek Amenities and Improvements







Hebron 121 Original Concepts for Timber  
Creek Amenities and Improvements



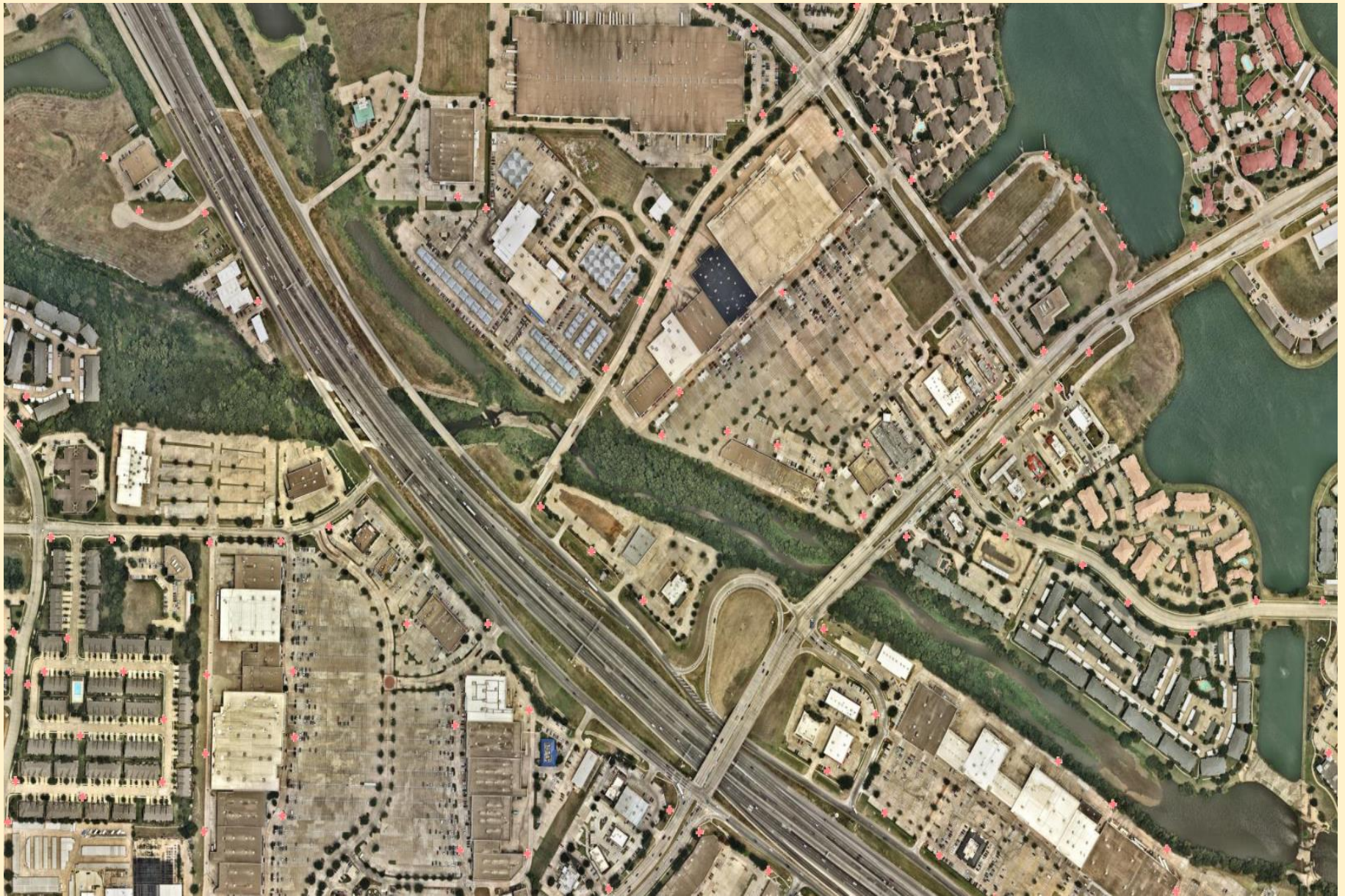




TIRZ No. 2







Aerial Showing Trees & Silting







# I-35 View of Target Center

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I-35 View of Target Center





View of Target Center from Hebron





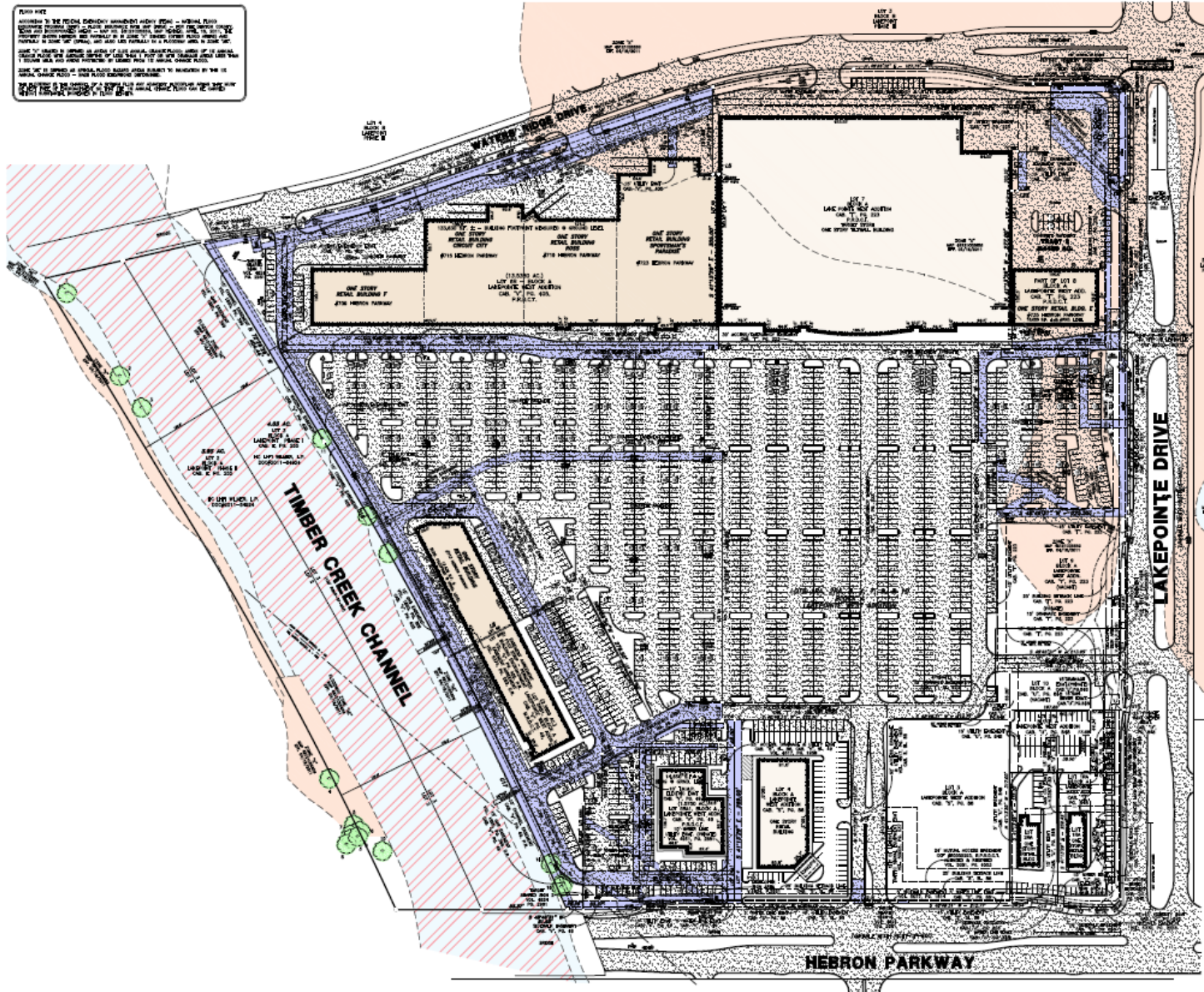


Area proposed to be cleared





**PLANTING**  
 ALL PLANTING TO BE DONE IMMEDIATELY UPON COMPLETION OF CONSTRUCTION. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:  
 1. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:  
 2. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:  
 3. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:  
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 8. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:  
 9. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:  
 10. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:



**AREA TABLE**

NO.	SPECIAL	AREA (AC)	PERCENT TOTAL
1	CEMENT	1.00	12.84
2	CEMENT	1.00	12.84
3	CEMENT	1.00	12.84
4	CEMENT	1.00	12.84
5	CEMENT	1.00	12.84
6	CEMENT	1.00	12.84
7	CEMENT	1.00	12.84
8	CEMENT	1.00	12.84
9	CEMENT	1.00	12.84
10	CEMENT	1.00	12.84
11	CEMENT	1.00	12.84
12	CEMENT	1.00	12.84
13	CEMENT	1.00	12.84
14	CEMENT	1.00	12.84
15	CEMENT	1.00	12.84
16	CEMENT	1.00	12.84
17	CEMENT	1.00	12.84
18	CEMENT	1.00	12.84

**LINE TABLE**

NO.	SECTIONS	LENGTH
1	1	1.00
2	2	1.00
3	3	1.00
4	4	1.00
5	5	1.00
6	6	1.00
7	7	1.00
8	8	1.00
9	9	1.00
10	10	1.00
11	11	1.00
12	12	1.00
13	13	1.00
14	14	1.00
15	15	1.00
16	16	1.00
17	17	1.00
18	18	1.00

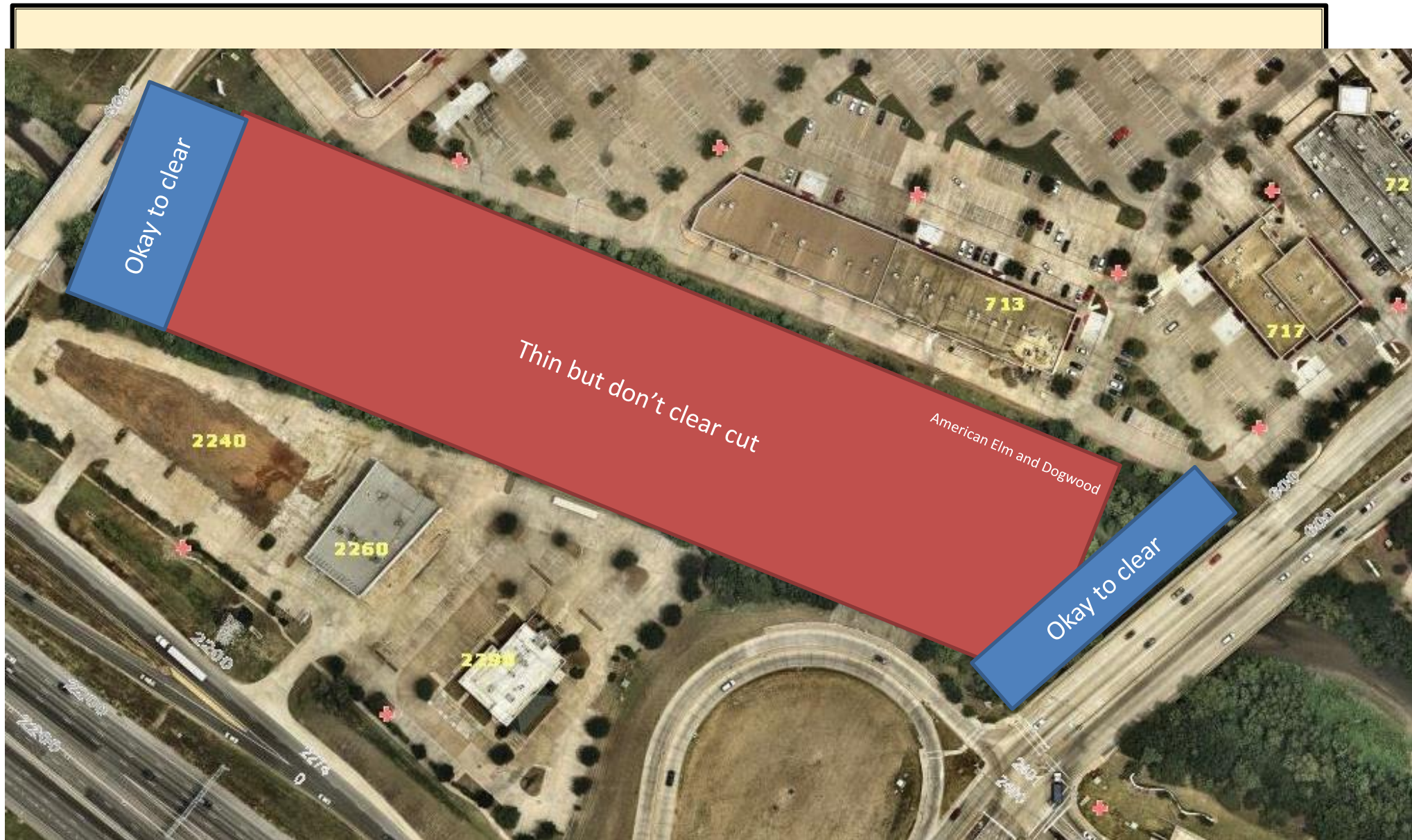
**CURVE TABLE**

NO.	SECTION	ANGLE	RADIUS	CHORD	AREA
1	1	90.00	1.00	1.00	0.00
2	2	90.00	1.00	1.00	0.00
3	3	90.00	1.00	1.00	0.00
4	4	90.00	1.00	1.00	0.00
5	5	90.00	1.00	1.00	0.00
6	6	90.00	1.00	1.00	0.00
7	7	90.00	1.00	1.00	0.00
8	8	90.00	1.00	1.00	0.00
9	9	90.00	1.00	1.00	0.00
10	10	90.00	1.00	1.00	0.00
11	11	90.00	1.00	1.00	0.00
12	12	90.00	1.00	1.00	0.00
13	13	90.00	1.00	1.00	0.00
14	14	90.00	1.00	1.00	0.00
15	15	90.00	1.00	1.00	0.00
16	16	90.00	1.00	1.00	0.00
17	17	90.00	1.00	1.00	0.00
18	18	90.00	1.00	1.00	0.00

**TREE EXHIBIT**  
**7.97 ACRE COMPOSITE**  
**"TIMBER CREEK"**  
 LEWISVILLE, DENTON COUNTY, TEXAS

Retail Connection's Proposed Tree Removal –  
 Remove everything except what is in green

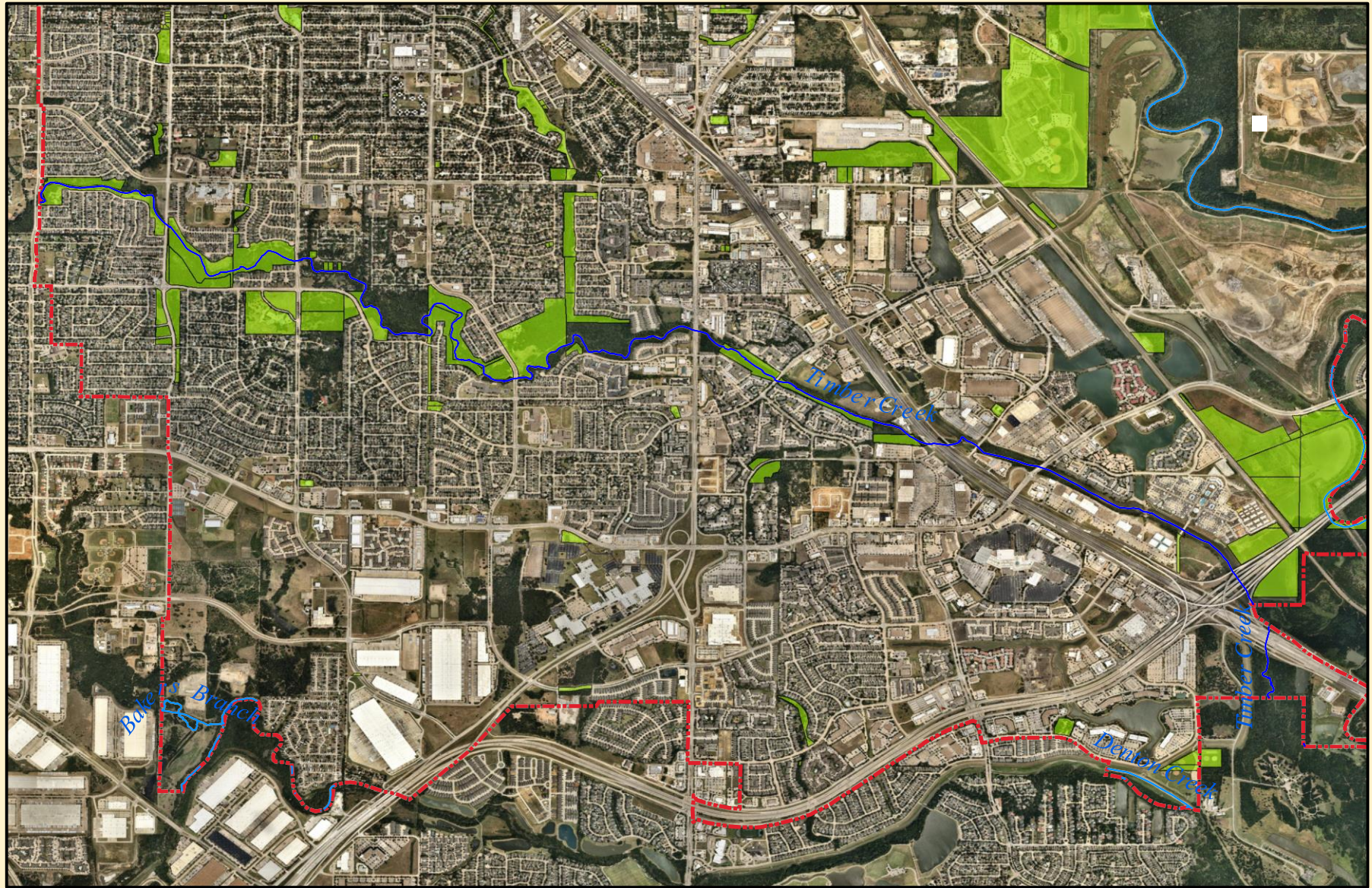




Proposed Plan if City Owns

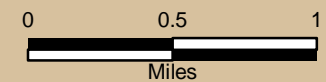






## City Owned Properties

### Timber Creek





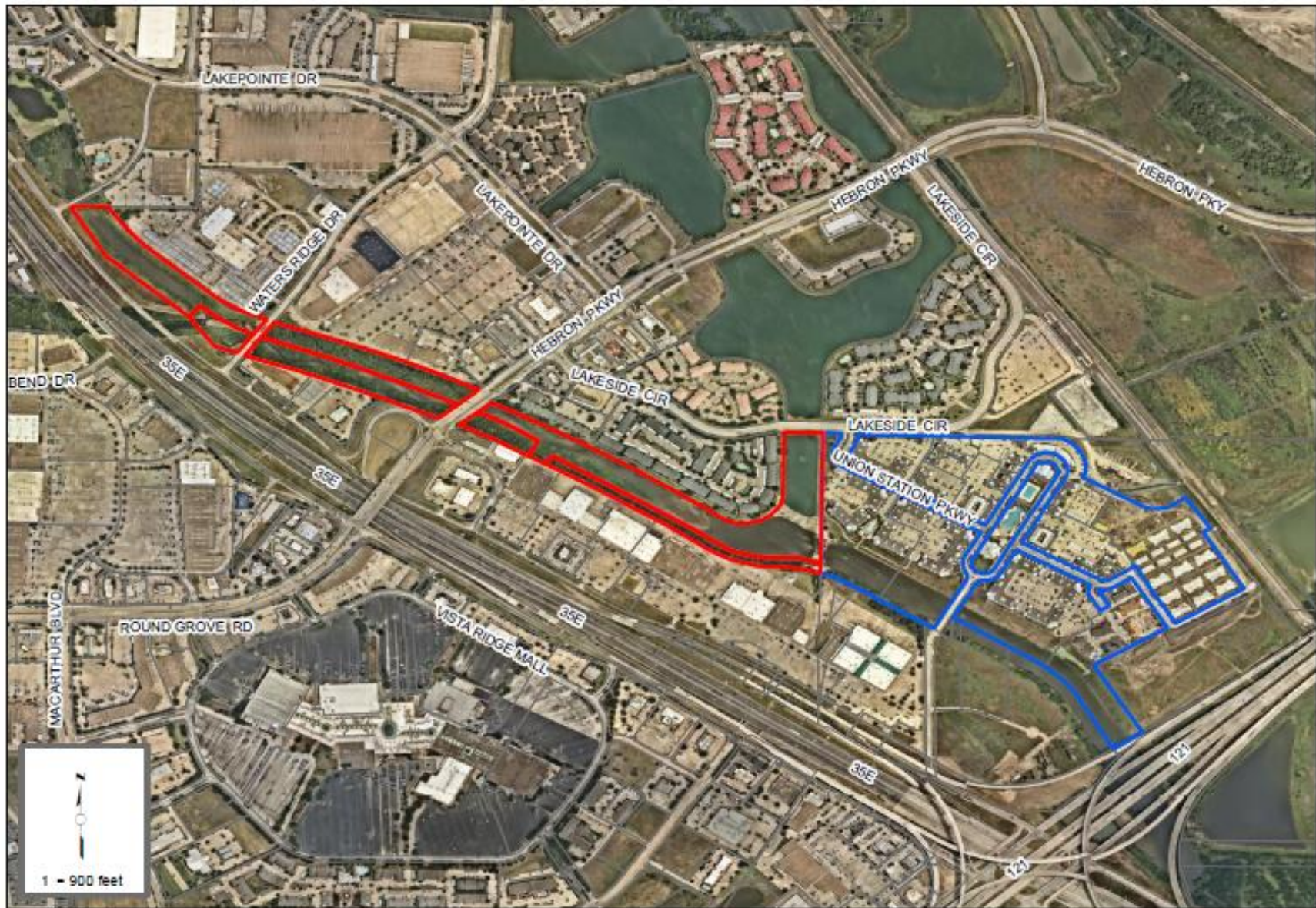
## Existing Storm Water Utility 10-15 year plan

1. Timber Creek Acres Buy-out - City Match on Federal Grant (\$200,000)
2. Concrete Lined Channel Near Metro Park Circle Plus East Purnell Drainage Improvements (\$1,200,000, construction only, plans complete, bid ready)
3. Timber Creek Channel Improvements (Erosion) - Valley Parkway to Edmonds Lane (Private/Public) – (\$6,250,000)
4. Holford's Prairie Bridge and Channel Improvements, possible property buy-outs (\$2,000,000)
5. Fish Hatchery Road Bridge Repair (250,000)
6. High School Drive and Mill Street Improvements (Channel and Culvert Crossings) (\$500,000)
7. Lewisville Valley 2 - Juniper and Laramie Storm Sewer Capacity – (\$950,000)
8. Channel Improvements East of Mill Street to Sycamore Street (\$650,000)
9. McKenzie Street to Purnell Street and along Sycamore Street Channel Improvements (\$500,000)
10. Old Town Drainage - Phase III (b) Improvements – (\$2,500,000)
11. Timber Creek Channel Improvements (Erosion) - Edmonds Lane to SH 121 Bus. (Public/Private) - \$4,000,000
12. Valley Vista 1 - Camelot and Little Den Storm Sewer Capacity - \$650,000
13. Milestone Creek - Channel Improvements (Private) – (\$900,000)
14. Channel along KCS ROW - West of McGee Lane to I-35 – (\$650,000)
15. Bennett Lane Culvert Improvements (\$500,000)
16. Channel Improvements between DCTA Maint. Facility and Bennett Lane (Private) (\$1,000,000)\*\*
- 17. Timber Creek Channel Dredging East of I-35 (Private) – (\$7,000,000)**
- 18. Timber Creek Channel Improvements (Erosion) - SH 121 Bus to I-35E (Public/Private) - \$4,000,000**

Storm Water Projects







Parcel Map



# Recommendation & Discussion

